HOUSE BILL 859

By: Delegates Carr, Korman, Shetty, and Solomon
Introduced and read first time: February 8, 2019
Assigned to: Environment and Transportation

A BILL ENTITLED

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Mandatory
Referral Review

FOR the purpose of requiring certain actions to be subject to review by the
Maryland–National Capital Park and Planning Commission; clarifying that each
action may require separate reviews by the Commission; establishing that a certain
referral to the Commission is only deemed approved under certain circumstances if
there is a complete submission that can be adequately reviewed by the Commission;
and generally relating to the Maryland–National Capital Park and Planning
Commission and mandatory referral review.

BY repealing and reenacting, with amendments,
Article – Land Use
Section 20–301 and 20–304
Annotated Code of Maryland
(2012 Volume and 2018 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Land Use
20–301.

(A) Subject to §§ 20–303 and 20–304 of this subtitle, a public board, public body,
or public official may not conduct any of the following activities in the regional district
unless the proposed location, character, grade, and extent of the activity is referred to and
approved by the Commission, WITH EACH ACTION AS LISTED, SUBJECT TO REVIEW:

(1) acquiring or selling land;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
(2) locating, constructing, or authorizing:

(i) a road;

(ii) a park;

(iii) any other public way or ground;

(iv) a public building or structure, including a federal building or structure; or

(v) a publicly owned or privately owned public utility; or

(3) changing the use of or widening, narrowing, extending, relocating, vacating, or abandoning any facility listed in item (2) of this section.

(B) THE ACTIONS SUBJECT TO REVIEW UNDER SUBSECTION (A) OF THIS SECTION MAY REQUIRE SEPARATE REVIEWS BY THE COMMISSION.

20–304.

Unless a longer period is granted by the submitting entity, an official referral to the Commission under this part is deemed approved if the Commission fails to act within 60 days after the date of A COMPLETE submission ACCEPTED BY THE COMMISSION TO ADEQUATELY REVIEW THE PROPOSED LOCATION, CHARACTER, GRADE, AND EXTENT OF THE ACTIVITY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2019.