

# SENATE BILL 442

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By: **Senators Young, Colburn, DeGrange, Edwards, Forehand, Garagiola, Rosapepe, and Shank**

Introduced and read first time: February 4, 2011

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Environmental Trust – Easements – Local Approval**

3 FOR the purpose of prohibiting the Maryland Environmental Trust from acquiring a  
4 perpetual conservation easement on certain property unless the appropriate  
5 governing body approves the transaction; and generally relating to the  
6 Maryland Environmental Trust and the acceptance of easements.

7 BY repealing and reenacting, with amendments,  
8 Article – Natural Resources  
9 Section 3–203.1  
10 Annotated Code of Maryland  
11 (2005 Replacement Volume and 2010 Supplement)

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

14 **Article – Natural Resources**

15 3–203.1.

16 (a) When any person offers to donate a perpetual conservation easement to  
17 the Maryland Environmental Trust, notification shall be mailed by the Maryland  
18 Environmental Trust to the appropriate governing body in which the land is located,  
19 as specified in subsection (b) of this section.

20 (b) The appropriate governing body for the purposes of this section means:

21 (1) The board of county commissioners in a commission county;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1                   (2)    The county executive and county council in a charter home rule  
2 county;
- 3                   (3)    The county commissioners in a Code home rule county; and
- 4                   (4)    The Mayor and City Council in Baltimore City.

5                   **(C)    THE MARYLAND ENVIRONMENTAL TRUST MAY NOT ACQUIRE A**  
6 **PERPETUAL CONSERVATION EASEMENT ON LAND THAT IS PLANNED OR ZONED**  
7 **FOR DEVELOPMENT UNLESS THE APPROPRIATE GOVERNING BODY IN WHICH**  
8 **THE LAND IS LOCATED APPROVES THE TRANSACTION.**

9                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2011.