

HOUSE BILL 1178

L3

EMERGENCY BILL
ENROLLED BILL

(6lr2994)

— Government, Labor, and Elections/Education, Energy, and the Environment —

Introduced by **Delegates Harrison and Toles**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Municipalities – Annexation – Limitations**

3 FOR the purpose of ~~prohibiting~~ requiring a municipality ~~from annexing~~ *that is seeking to*
4 *annex* land that is located in a different legislative district than a legislative district
5 in which the municipality is located ~~without first obtaining the consent of~~ notifying
6 to notify certain members of the General Assembly in a certain manner; ~~prohibiting~~
7 ~~a municipality from annexing land that is owned by the United States, the State, a~~
8 ~~political subdivision of the State, or a unit of the State or a political subdivision of~~
9 ~~the State, or a certain tax-exempt entity, unless the municipality first obtains the~~
10 ~~consent of the governmental entity or tax-exempt entity~~; and generally relating to
11 municipal annexation.

12 ~~BY repealing and reenacting, with amendments,~~

13 ~~Article – Local Government~~

14 ~~Section 4-401~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 ~~Annotated Code of Maryland~~
 2 ~~(2013 Volume and 2025 Supplement)~~

3 BY repealing and reenacting, without amendments,
 4 Article – Local Government
 5 Section 4-406(a)
 6 Annotated Code of Maryland
 7 (2013 Volume and 2025 Supplement)

8 BY adding to
 9 Article – Local Government
 10 Section 4-406(g)
 11 Annotated Code of Maryland
 12 (2013 Volume and 2025 Supplement)

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

15 **Article – Local Government**

16 ~~4-401.~~

17 ~~(a) Subject to subsections (b) and (c) of this section, the legislative body of a~~
 18 ~~municipality may enlarge its boundaries by annexation as provided in this subtitle.~~

19 ~~(b) The power of annexation applies only to land that:~~

20 ~~(1) is contiguous and adjoining to the existing boundaries of the~~
 21 ~~municipality; and~~

22 ~~(2) does not create an unincorporated area that is bounded on all sides by:~~

23 ~~(i) real property presently in the boundaries of the municipality;~~

24 ~~(ii) real property proposed to be in the boundaries of the municipality~~
 25 ~~as a result of the proposed annexation; or~~

26 ~~(iii) any combination of real property described in item (i) or (ii) of~~
 27 ~~this item.~~

28 ~~(c) A municipality may not annex land that is:~~

29 ~~(1) in another municipality; OR~~

30 ~~(2) LOCATED IN A DIFFERENT LEGISLATIVE DISTRICT THAN A~~
 31 ~~LEGISLATIVE DISTRICT IN WHICH THE MUNICIPALITY OR ANY PART OF THE~~

~~MUNICIPALITY IS LOCATED WITHOUT FIRST OBTAINING THE CONSENT OF NOTIFYING THE MEMBERS OF THE DELEGATION TO THE GENERAL ASSEMBLY FOR THE DISTRICT IN WHICH THE LAND IS LOCATED IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION;~~

~~(3) OWNED BY THE UNITED STATES, THE STATE, A POLITICAL SUBDIVISION OF THE STATE, OR A UNIT OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE, WITHOUT FIRST OBTAINING THE CONSENT OF THE GOVERNMENTAL ENTITY THAT OWNS THE LAND; OR~~

~~(4) OWNED BY AN ENTITY THAT IS EXEMPT FROM FEDERAL INCOME TAXES UNDER § 501 OF THE INTERNAL REVENUE CODE WITHOUT FIRST OBTAINING THE CONSENT OF THE ENTITY.~~

4-406.

(a) After an annexation resolution is introduced, the chief executive and administrative officer of the municipality shall publish notice in accordance with the requirements of this section that:

(1) briefly and accurately describes the proposed annexation and the applicable conditions and circumstances; and

(2) specifies the date, time, and place that the legislative body sets for the public hearing on the proposed annexation.

~~(D) (G) AFTER AN IF A MUNICIPALITY IS SEEKING TO ANNEX LAND THAT IS LOCATED IN A DIFFERENT LEGISLATIVE DISTRICT THAN THE LEGISLATIVE DISTRICT IN WHICH THE MUNICIPALITY OR ANY PART OF THE MUNICIPALITY IS LOCATED, AFTER THE ANNEXATION RESOLUTION IS INTRODUCED, THE MUNICIPALITY SHALL PROVIDE WRITTEN NOTICE TO THE MEMBERS OF THE GENERAL ASSEMBLY FOR THE DISTRICT IN WHICH THE LAND IS LOCATED AND FOR THE DISTRICT TO WHICH THE LAND IS BEING ANNEXED BY:~~

(1) ELECTRONIC COMMUNICATION; AND

(2) UNITED STATES POSTAL SERVICE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.