

# SENATE BILL 116

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By: **Senators Edwards and Middleton**

Introduced and read first time: January 13, 2017

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Program Open Space – Attainment of Acquisition Goals – Local Government**  
3 **Apportionment and Use of Funds**

4 FOR the purpose of altering the amount a local government may spend on development  
5 projects and capital renewal after it has attained its acquisition goals under Program  
6 Open Space; repealing a certain limitation on the use of certain funds; and generally  
7 relating to the apportionment and use of local government funds for Program Open  
8 Space.

9 BY repealing and reenacting, with amendments,  
10 Article – Natural Resources  
11 Section 5–905(c)(1)  
12 Annotated Code of Maryland  
13 (2012 Replacement Volume and 2016 Supplement)

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

16 **Article – Natural Resources**

17 5–905.

18 (c) (1) (i) One half of any local governing body’s annual apportionment  
19 shall be used for acquisition or development projects provided that up to 20 percent of the  
20 funds authorized for acquisition or development projects under this subparagraph may be  
21 used for capital renewal as defined in § 5–901 of this subtitle.

22 (ii) If the Department and the Department of Planning certify that  
23 acquisition goals set forth in the current, approved local land preservation and recreation  
24 plan have been met and that such acreage attainment equals or exceeds the minimum  
25 recommended acreage goals developed for that jurisdiction under the Maryland Land

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Preservation and Recreation Plan, a local governing body may use up to ~~[75]~~ **100** percent  
2 of its future annual apportionment for development projects [for a period of 5 years after  
3 attainment, provided that up to 20 percent of the funds authorized for use for development  
4 projects under this subparagraph may be used for] **AND** capital renewal.

5 (iii) If a county determines that it qualifies for the additional funds  
6 for development and capital renewal projects under subparagraph (ii) of this paragraph,  
7 before the due date for all local governing bodies to submit revised local land preservation  
8 and recreation plans, that county may submit an interim local land preservation and  
9 recreation plan:

- 10 1. Prior to the submission under subsection (b)(2) of this  
11 section; and
- 12 2. In addition to the submission required under subsection  
13 (b)(2) of this section.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
15 1, 2017.