

**SB0974/783024/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 974  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “– **Requirement**”; in line 4, strike “requiring” and substitute “authorizing”; in the same line, strike “Department of Natural Resources” and substitute “State”; in line 5, after “the” insert “State for the use and benefit of the”; in the same line, after “Department” insert “of Natural Resources”; in line 6, after the second “the” insert “State for the use and benefit of the”; in line 8, strike “with” and substitute “without”; and after line 12, insert:

“BY repealing and reenacting, with amendments,  
Article - State Finance and Procurement  
Section 10-305(b)(1)  
Annotated Code of Maryland  
(2021 Replacement Volume)

BY adding to  
Article - State Finance and Procurement  
Section 10-305(j)  
Annotated Code of Maryland  
(2021 Replacement Volume)”.

AMENDMENT NO. 2

On page 1, in lines 17, 20, and 22, strike “**(1)**”, “**(I)**”, and “**(II)**”, respectively; and in lines 20 and 22, strike the brackets.

On page 2, strike in their entirety lines 1 through 19, inclusive, and substitute:

“(b) (1) (i) Except as provided under subparagraph (ii) of this paragraph,  
this subsection applies to the sale, transfer, grant, or exchange of:

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1. real property identified under § 5-310(c)(1) of this article; and

2. State-owned real or personal property, funded in accordance with an appropriation act of the General Assembly, that has an appraised value over \$100,000.

(ii) This subsection does not apply to the following dispositions of property identified in subparagraph (i) of this paragraph:

1. leasing the property; [or]

2. the sale, transfer, grant, or exchange of a corrective or access easement on the property; OR

3. AN EXCHANGE UNDER SUBSECTION (J) OF THIS SECTION.

**(J) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF AN OWNER OF REAL PROPERTY REQUESTS TO EXCHANGE THE OWNER'S REAL PROPERTY WITH REAL PROPERTY OWNED BY THE STATE FOR THE USE AND BENEFIT OF THE DEPARTMENT OF NATURAL RESOURCES, THE STATE MAY EXCHANGE ITS REAL PROPERTY FOR THE OWNER'S REAL PROPERTY IF:**

**(I) THE REAL PROPERTY OWNED BY THE STATE DOES NOT EXCEED 2 ACRES IN SIZE; AND**

**(II) THE OWNER REQUESTING THE EXCHANGE PAYS ALL COSTS ASSOCIATED WITH THE EXCHANGE OF THE REAL PROPERTY, INCLUDING BOUNDARY RELOCATION, SURVEYING, ENGINEERING, LEGAL FEES, AND RECORDATION COSTS.**

**(2) (I) THE BOARD MAY NOT APPROVE AN EXCHANGE UNDER THIS SUBSECTION UNLESS:**

**1. THE DEPARTMENT OF NATURAL RESOURCES SUBMITS TO THE LEGISLATIVE POLICY COMMITTEE:**

**A. A DESCRIPTION OF THE PROPERTY TO BE EXCHANGED; AND**

**B. THE JUSTIFICATION FOR THE EXCHANGE; AND**

**2. THE LEGISLATIVE POLICY COMMITTEE REVIEWS THE INFORMATION SUBMITTED BY THE DEPARTMENT OF NATURAL RESOURCES UNDER THIS SUBPARAGRAPH AND:**

**A. APPROVES THE PROPOSED EXCHANGE AND REFERS THE PROPERTY BACK TO THE BOARD FOR FINAL DISPOSITION; OR**

**B. REFERS THE PROPOSED EXCHANGE TO THE FULL GENERAL ASSEMBLY AND NOTIFIES THE BOARD OF THE REFERRAL.**

**(II) IF THE LEGISLATIVE POLICY COMMITTEE FAILS TO TAKE ANY ACTION UNDER SUBPARAGRAPH (I)2 OF THIS PARAGRAPH WITHIN 45 DAYS AFTER RECEIVING THE INFORMATION SUBMITTED UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH, THE PROPOSED EXCHANGE SHALL BE DEEMED:**

**1. APPROVED BY THE COMMITTEE; AND**

2. REFERRED TO THE BOARD FOR FINAL DISPOSITION.

(III) 1. IF THE LEGISLATIVE POLICY COMMITTEE REFERS THE PROPOSED EXCHANGE OF REAL PROPERTY TO THE FULL GENERAL ASSEMBLY, THE PROPOSED EXCHANGE MAY NOT BE APPROVED BY THE BOARD UNLESS IT IS APPROVED BY THE PASSAGE OF LEGISLATION DURING THE NEXT LEGISLATIVE SESSION OF THE GENERAL ASSEMBLY.

2. IN ANY LEGISLATION PASSED IN ACCORDANCE WITH THIS SUBPARAGRAPH, THE GENERAL ASSEMBLY MAY APPROVE THE PROPOSED EXCHANGE WITH OR WITHOUT CONDITIONS.

(3) AN EXCHANGE UNDER THIS SUBSECTION IS NOT SUBJECT TO THE NOTICE REQUIREMENT UNDER § 5-310(A) OF THIS ARTICLE.”