

HOUSE BILL 256

L6

3lr1262

By: ~~Delegate Clagett~~ **Frederick County Delegation**

Introduced and read first time: January 23, 2013

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 19, 2013

CHAPTER _____

1 AN ACT concerning

2 ~~Land Use~~ **Frederick County – Development Rights and Responsibilities**
3 **Agreements – Direct Judicial Review**

4 FOR the purpose of prohibiting, in Frederick County, a person aggrieved by a
5 development rights and responsibilities agreement from filing an administrative
6 appeal; authorizing, in Frederick County, a person aggrieved by a development
7 rights and responsibilities agreement to seek direct judicial review by the circuit
8 court by filing a request with the circuit court of the county; requiring that the
9 judicial review be in accordance with the Maryland Rules; providing for a
10 delayed effective date; and generally relating to development rights and
11 responsibilities agreements in Frederick County.

12 BY adding to
13 Article – Land Use
14 Section 7–307
15 Annotated Code of Maryland
16 (2012 Volume)

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

19 **Article – Land Use**

20 **7–307.**

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.



1 **(A) ~~A~~ IN FREDERICK COUNTY, A PERSON AGGRIEVED BY AN**
2 **AGREEMENT EXECUTED UNDER THIS SUBTITLE:**

3 **(1) MAY NOT FILE AN ADMINISTRATIVE APPEAL; AND**

4 **(2) MAY SEEK DIRECT JUDICIAL REVIEW OF THE AGREEMENT IN**
5 **CIRCUIT COURT BY FILING A REQUEST WITH THE CIRCUIT COURT OF THE**
6 **COUNTY.**

7 **(B) THE JUDICIAL REVIEW SHALL BE IN ACCORDANCE WITH TITLE 7,**
8 **CHAPTER 200 OF THE MARYLAND RULES.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 ~~October 1, 2013~~ January 1, 2015.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.