

HOUSE BILL 760

L6

5lr1504

By: **Delegates Ghrist, Arentz, Chisholm, Hutchinson, Jacobs, M. Morgan,
Nawrocki, Otto, Pippy, Rose, Schmidt, and Szeliga**

Introduced and read first time: January 27, 2025

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Counties and Municipalities – Approval of Projects Denied by Maryland**
3 **Historical Trust – Authorization**

4 FOR the purpose of authorizing the governing body of a county or municipality to approve
5 a certain project that was previously denied by the Maryland Historical Trust under
6 certain circumstances; requiring a local planning commission to hold a certain public
7 hearing under certain circumstances and to make a certain recommendation; and
8 generally relating to county and municipal approval of projects denied by the
9 Maryland Historical Trust.

10 BY adding to
11 Article – Local Government
12 Section 1–1321
13 Annotated Code of Maryland
14 (2013 Volume and 2024 Supplement)

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

17 **Article – Local Government**

18 **1–1321.**

19 **(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE GOVERNING BODY**
20 **OF A COUNTY OR MUNICIPALITY MAY APPROVE A PROJECT WITHIN THE**
21 **JURISDICTION OF THE COUNTY OR MUNICIPALITY THAT WAS PREVIOUSLY DENIED**
22 **BY THE MARYLAND HISTORICAL TRUST AS A RESULT OF:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(1) THE PROTECTION OF CEMETERIES UNDER § 14-121.1 OF THE**
2 **REAL PROPERTY ARTICLE; OR**

3 **(2) THE FOLLOWING FUNCTIONS UNDER TITLE 5A, SUBTITLE 3 OF**
4 **THE STATE FINANCE AND PROCUREMENT ARTICLE:**

5 **(I) HISTORIC PRESERVATION REVIEW FOR STATE PROJECTS;**
6 **OR**

7 **(II) PERMITTING FOR TERRESTRIAL OR SUBMERGED**
8 **ARCHAEOLOGICAL INVESTIGATIONS.**

9 **(B) (1) ON REQUEST OF A PROJECT APPLICANT, A LOCAL PLANNING**
10 **COMMISSION SHALL HOLD A PUBLIC HEARING ON THE PROJECT.**

11 **(2) THE LOCAL PLANNING COMMISSION SHALL:**

12 **(I) HOLD THE PUBLIC HEARING WITHIN 60 DAYS AFTER THE**
13 **DATE ON WHICH THE APPLICANT REQUESTS THE HEARING;**

14 **(II) PUBLISH NOTICE OF THE HEARING AT LEAST ONCE IN A**
15 **NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY OR MUNICIPALITY AND ON**
16 **THE PLANNING COMMISSION'S WEBSITE; AND**

17 **(III) MAKE A RECOMMENDATION TO THE GOVERNING BODY OF**
18 **THE COUNTY OR MUNICIPALITY ON WHETHER TO APPROVE THE PROJECT.**

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2025.