

(1) ANY PERSON WHO QUESTIONS WHETHER THE RATES, FEES, OR CHARGES OF AN AUTHORITY ARE REASONABLE OR UNIFORM MAY SUE THE AUTHORITY:

(I) IN THE CIRCUIT COURT FOR THE COUNTY IN WHICH THE PROJECT IS LOCATED; OR

(II) IF THE PROJECT IS LOCATED IN 2 OR MORE COUNTIES, IN THE CIRCUIT COURT FOR THE COUNTY IN WHICH THE PRINCIPAL OFFICE OF THE PROJECT IS LOCATED.

(2) THE CIRCUIT COURT HAS EXCLUSIVE JURISDICTION TO DETERMINE THE REASONABLENESS AND UNIFORMITY OF THE RATES, FEES, AND OTHER CHARGES OF AN AUTHORITY.

REVISOR'S NOTE: This section is new language derived without substantive change from former HE §§ 9-906(b)(11) and 9-911(a) and (b).

In subsections (a) and (f)(2) of this section, the former references to "alter" and "altered" are deleted as unnecessary in light of the general power of an authority to set rates, fees, and charges, which includes the power to alter and set different rates, fees, and charges.

In subsection (a)(1)(ii) of this section, the former word "reconstruction" is deleted as unnecessary in light of the other provisions of this subsection.

In subsection (e)(2) of this section, the reference to uniformity "by class" is added to conform to the way in which water and sewerage rates are set in practice.

Subsection (f)(1)(ii) of this section is revised to state expressly that a project must be in 2 or more counties before the location of the principal office of the project determines which circuit court has jurisdiction. The Commission to Revise the Annotated Code determined that the former reference to a project "located in one or more" political subdivisions made no sense, since a project will always be in 1 or more municipalities. The only situation in which more than 1 circuit court has jurisdiction over a project is if the project is located in 2 or more counties. No change of substance is intended.

The former reference to the right of appeal from a decision of the lower court to the Court of Special Appeals is deleted as unnecessary, since the general right to appeal is already provided for under CJ §§ 12-301 and 12-302.