

Defined term: "Secretary" § 4-101

4-319. NOTICE PROCEDURE.

(A) SCOPE OF SECTION.

THIS SECTION APPLIES TO ANY LEASE OF PROPERTY BY THE STATE.

(B) IN GENERAL.

(1) THE DEPARTMENT SHALL GIVE WRITTEN NOTICE OF EACH PROPOSED INITIAL LEASE OF PROPERTY TO:

(I) THE GOVERNING BODY OF EACH POLITICAL SUBDIVISION IN WHICH THE PROPERTY IS LOCATED; AND

(II) EACH MEMBER OF THE GENERAL ASSEMBLY IN WHOSE LEGISLATIVE DISTRICT THE PROPERTY IS LOCATED.

(2) IF THE NOTICE GIVEN UNDER PARAGRAPH (1) OF THIS SUBSECTION IS FOR AT LEAST 2 PROPOSED SITES FROM WHICH 1 SITE IS TO BE SELECTED, BEFORE ANY SITE IS FINALLY SELECTED, THE DEPARTMENT SHALL GIVE WRITTEN NOTICE OF THE SITE THAT HAS BEEN PROPOSED FOR FINAL SELECTION.

(3) THE PROVISIONS OF THIS SECTION CONCERNING NOTICE, RESPONSE, AND EXECUTION APPLY TO ANY NOTICE, INCLUDING A 2ND OR LATER NOTICE ISSUED UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(C) WRITTEN COMMENTS.

WITHIN 30 DAYS AFTER RECEIVING ANY NOTICE UNDER SUBSECTION (B) OF THIS SECTION, THE GOVERNING BODY OR THE MEMBER OF THE GENERAL ASSEMBLY MAY SUBMIT WRITTEN COMMENTS TO THE DEPARTMENT.

(D) EXECUTION.

A LEASE FOR A SITE MAY NOT BE EXECUTED UNTIL 31 DAYS AFTER THE DAY THAT NOTICE IS RECEIVED UNDER SUBSECTION (B) OF THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 231G-1(b)(2) through (6).

In subsection (a) of this section, the former phrase "notwithstanding their size" is deleted as unnecessary in light of the word "any".

In subsection (b)(1)(i) of this section, the phrase "of each political subdivision" is substituted for the word "appropriate", which formerly modified "governing bodies", for clarity.