

Bill No.: \_\_\_\_\_

Requested: \_\_\_\_\_

Committee: \_\_\_\_\_

Drafted by: Tracy

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Stored – 11/07/18

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Checked by \_\_\_\_\_

By: **Montgomery County Delegation and Prince George’s County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Land Use Documents – Certification**

3 **MC/PG 106–19**

4 FOR the purpose of requiring certain land use regulations applicable in Montgomery  
5 County to require that certain persons sign a certain certification under penalty of  
6 perjury for certain documents submitted to certain planning boards; establishing the  
7 content of the certification; and generally relating to the certification under penalty  
8 of perjury of certain land use documents in Montgomery County.

9 BY repealing and reenacting, without amendments,  
10 Article – Land Use  
11 Section 23–102(a) and (c), 23–103(a), and 23–104(a)(1)  
12 Annotated Code of Maryland  
13 (2012 Volume and 2018 Supplement)

14 BY adding to  
15 Article – Land Use  
16 Section 23–109  
17 Annotated Code of Maryland  
18 (2012 Volume and 2018 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Land Use**

4 23–102.

5 (a) (1) Except as provided in subsection (c) of this section, a subdivision plat of  
6 land in the regional district may not be admitted to the land records of Montgomery County  
7 or Prince George’s County, or received or recorded by the clerks of the courts of the  
8 respective county, unless:

9 (i) the plat has been submitted to and approved by the applicable  
10 county planning board; and

11 (ii) the chair of the county planning board and the  
12 secretary–treasurer of the Commission endorse an approval in writing on the plat.

13 (2) The recordation of a subdivision plat without the approval of the county  
14 planning board is void.

15 (c) A subdivision in a municipal corporation with subdivision authority under  
16 Division II of the Local Government Article that is in the regional district may be recorded  
17 in the land records of Montgomery County or Prince George’s County if:

18 (1) the subdivision plat has been submitted to and approved by the  
19 municipal corporation; and

20 (2) the appropriate official of the municipal corporation endorses an  
21 approval in writing on the plat.

22 23–103.

23 (a) Except as provided in subsection (b) of this section, in connection with the  
24 approval of a subdivision plat, the appropriate county planning board may require a  
25 dedication of land for:

26 (1) an interior subdivision road;

1           (2) a road that abuts the subdivision for the purpose of creating a new road  
2 as part of the plan of subdivision to provide for traffic access to another subdivision road;  
3 and

4           (3) the widening of an existing or public road that abuts the subdivision for  
5 the purpose of providing additional right-of-way adequate to serve additional traffic that  
6 will be generated by the subdivision.

7 23-104.

8           (a) (1) In exercising the subdivision powers under §§ 23-102 and 23-103 of  
9 this subtitle, the Commission or the governing body of Montgomery County or Prince  
10 George's County may adopt subdivision regulations and amendments governing a  
11 subdivision in:

12                   (i) the regional district; or

13                   (ii) the respective portion of the regional district in the county.

14 **23-109.**

15           **(A) THIS SECTION APPLIES ONLY IN MONTGOMERY COUNTY.**

16           **(B) THE SUBDIVISION REGULATIONS SHALL REQUIRE AN APPLICANT TO**  
17 **SIGN A CERTIFICATION UNDER THE PENALTY OF PERJURY FOR:**

18                   **(1) A FOREST CONSERVATION PLAN EXEMPTION APPLICATION;**

19                   **(2) A NATURAL RESOURCES INVENTORY/FOREST STAND**  
20 **DELINEATION, INCLUDING ANY REQUIRED MAPS OR DRAWINGS;**

21                   **(3) A FOREST MITIGATION BANK APPLICATION; AND**

22                   **(4) A CONCEPT PLAN OR ANY OTHER LOCAL DEVELOPMENT PLAN**  
23 **THAT DOES NOT REQUIRE EITHER A NATURAL RESOURCES INVENTORY/FOREST**  
24 **STAND DELINEATION OR A FOREST CONSERVATION PLAN EXEMPTION.**

1           **(C) A CERTIFICATION REQUIRED UNDER THIS SECTION SHALL BE IN THE**  
2 **FOLLOWING FORM:**

3           **“I (WE) CERTIFY, UNDER THE PENALTY OF PERJURY, THAT THIS DOCUMENT,**  
4 **INCLUDING ANY ACCOMPANYING FORMS, STATEMENTS, MAPS, OR DRAWINGS, HAS**  
5 **BEEN EXAMINED BY ME (US) AND THE INFORMATION CONTAINED HEREIN, TO THE**  
6 **BEST OF MY (OUR) KNOWLEDGE, INFORMATION, AND BELIEF, IS TRUE, CORRECT,**  
7 **AND COMPLETE.”.**

8           **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect  
9 October 1, 2019.

DRAFT