

TEXT AMENDMENTS TO COUNCIL BILL 12-152

**TITLE 19. ENFORCEMENT; APPEALS**

(1<sup>st</sup> Reader Copy)

Proposed by: Various

{To be offered to the Land Use and Transportation Committee}

**Amendment No. 1 (DLR Corrective) {Administrative Appeals – Who May Appeal}**

On page 330, in line 8, strike “AFFECTED BY THE DECISION”.

**{DLR NOTE: This is to conform this section with the right to seek even judicial review, as authorized by State Land Use Article § 4-401(a)(3). See also Amendment #3 below.}**

**Amendment No. 2 (T-594 and T-595) {Administrative Appeals – When Taken}**

On page 330, in line 11 and in line 13, in each instance, before “DAYS”, strike “WORKING”.

**Amendment No. 3 (DLR Corrective) {Judicial Review – Who May Seek}**

On page 331, in line 18, strike “APPEAL” and substitute “SEEK”; and, in line 20, after “MAY BE”, strike beginning with “FILED” in that line through “DECISION” in line 22 and substitute “SOUGHT BY THOSE AUTHORIZED TO DO SO UNDER STATE LAND USE ARTICLE § 4-401(A) {“WHO MAY FILE”}”.

**{DLR NOTE: Corrects misnomers (judicial review is not an “appeal”). And substitutes a cross-reference for current listing to assure now and future compliance with governing State law.}**

## OMITTED PROPOSALS

**{T-639 (*ENFORCEMENT*):** T-639 proposes a 9-page draft set of amendments to replace Title 19, Subtitle 1, of the Bill. That draft, unfortunately, requires considerable more work than is available in the time left in the Council's current Term. *IN THE FINAL ANALYSIS, A COMPREHENSIVE AND COMPREHENSIBLE REVISION OF TITLE 19, SUBTITLE 1, WILL REQUIRE COOPERATIVE RESEARCH, ANALYSES, AND THOUGHTFUL DRAFTING DURING THE POST-ENACTMENT, PRE-EFFECTIVE-DATE "CLEAN-UP" PERIOD OF THE NEXT COUNCIL TERM.*}

**{T-596 and T-597 (*APPEALS*):** These two proposals were based on a misreading of the subject provisions. THEIR PROPONENT HAS SINCE WITHDRAWN THE REQUESTED AMENDMENTS.}