COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2025 Legislative Session

Bill No. CB-095-2025

Chapter No.

Proposed and Presented by (The Chair – by request of the County Executive)

Introduced by

Co-Sponsors

Date of Introduction October 7, 2025

BILL

AN ACT concerning

County Real Property as Surplus Property

For the purpose of repealing in its entirety and reenacting provisions of the Code regulating the procedure to declare County Real Property as Surplus Property; methods of disposition of surplus property; approval by Council; and execution of disposition.

BY repealing and reenacting with amendments:

SUBTITLE 2. ADMINISTRATION.

DIVISION 2. COUNTY EXECUTIVE.

Sec. 2-111.01. Sale, lease, or other disposition of County property.

[The County Executive shall be authorized to sell, lease, or otherwise dispose of any County-owned real property, when such property is no longer needed for County use or when the proposed disposition is in furtherance of a public purpose, including a sale/leaseback or a lease/leaseback, in accordance with the following provisions:

(a) **Property Inventory**. The County Executive shall establish an inventory of all real property and improvements titled in the name of Prince George's County, and all real property and improvements to which Prince George's County has an equitable or fee simple title. The inventory shall include properties acquired through tax sales, grants, purchases, eminent domain, or by operation of law, including property transferred to the County from other governmental agencies and the Board of Education. Properties utilized for public rights-of-way shall be inventoried separately. The tax certificate for] [properties acquired through tax sales may be sold without regard to this Section at any time prior to the foreclosure of the right of redemption, in accordance with the provisions of State law.

(b) Inventory List and Surplus Property Disposal List.

(1) The County Executive shall present the inventory to the County Council no later than the first day of may each year.

(2) Only those properties which are contained within the inventory shall be permitted to be proposed for lease, sale, or disposal.

(3) Revisions to the inventory shall be submitted as necessary and approved by legislative act.

(4) The County Executive, at least once annually, shall review the inventory of all real property and improvements held in fee by Prince George's County and shall transmit, for the approval by legislative act of the County Council, a list of all properties to be leased, offered for sale, or otherwise disposed of. The list of properties proposed for surplus shall identify any properties considered for economic development purposes, including elderly housing and affordable housing projects.

(5) Simultaneous with the transmission of the surplus property legislation to the County Council, the County Executive shall submit a copy of the surplus property legislation to the Revenue Authority of Prince George's County, any municipality in which a property proposed as surplus lies, in whole or in part, the Maryland-National Capital Park and Planning Commission, the Washington Suburban Sanitary Commission, and the State of Maryland (each a "Preferred Government Entity").

(c) Surplus Property List Description. The surplus property list shall adequately describe each property listed and shall contain:

(1) a statement of its acquisition cost;

(2) date of acquisition; and

(3) present assessment value.

(4) Any property being considered by the County Executive for economic development purposes, including elderly housing and affordable housing projects, shall be so designated in the surplus property list.

(5) In addition to paragraphs 1-3 above, when the property is proposed for sale to a]

[private party, the description must also include:

(A) the proposed sale price;

(B) the name of the proposed purchaser; and

(C) a list of the type and value of any waiver, abatement, adjustment, or deferral of County fees, charges, or taxes pertaining to the property.

(d) **Administration**. The Redevelopment Authority for Prince George's County (the "Authority") shall administer the final disposition of all properties approved as surplus beginning no less than forty-five (45) days after County Council approval of the surplus property list and before any disposition, grant, or lease of surplus property.

(e) **First Right of Refusal**. Except when the proposed disposition is a sale/leaseback or disposition for economic development, including elderly housing and affordable housing projects, the Authority shall give a first right of refusal to the Preferred Government Entities.

(1) Preferred Government Entities may purchase properties approved as surplus for public use only, and for an amount equal to the County's acquisition cost plus expenses incident to transfer.

(2) To meet the requirement for public use, not more than ten percent (10%) of the usable space of any structure may be rented by the Preferred Government Entity acquiring the property for an amount exceeding the cost of maintaining and operating such space.

(3) Preferred Government Entities shall attend the public hearing identified in Subsection (f) of this Section to exercise their right of first refusal on the record. Where more than one Preferred Government Entity exercises their right of first refusal at the hearing, the Authority shall designate the Preferred Government Entity to whom the property will be transferred in the disposition resolution set forth in Subsection (h) of this Section.

(4) Where the property requires the maintenance of a structure, the Authority may, as a condition of disposition, require the Preferred Government Entity to maintain the property in at least the same condition as it is in at the time of the]

[hearing until disposition is complete.

(f) **Notice, Public Hearing and Public Sale**.

(1) The Authority shall advertise the proposed dispositions and availabilities of all properties approved as surplus in accordance with the provisions of Section 10-312, Local Government Article, of the Annotated Code of Maryland, by publishing notice once a week for 3 successive weeks in at least one newspaper of general circulation in the County setting forth the particulars as to where, when, and to whom objections may be filed.

(2) After providing the required notice in Subsection 1, the Authority shall schedule a public hearing no sooner than fifteen (15) days of the effective date of the surplus property list legislation to receive comment from Preferred Government Entities, interested persons, and persons lodging objections. The hearing shall be recorded and the record transferred to the Council within fifteen (15) days of conclusion of the hearing(s).

(3) After concluding the hearing and transmitting the record, the Authority shall determine which properties on the surplus property list shall be transferred for economic development projects, including elderly housing and affordable housing projects, transferred to Preferred Government Entities, or proposed for transfer to the bidder offering best value.

(4) With the exception of transfers for economic development, including elderly housing housing and affordable housing projects, which shall follow the County Capital Improvement Program budget process, or transfers to a Preferred Government Entity where no competition exists, no disposition of any surplus property may be permitted without County Council approval by resolution in accordance with Subsection (h) of this Section.

(g) **Dispositions for specific public purposes limited to transportation, not-for-profit sport and recreational uses, and day care centers for children or adults**. The County Executive may propose a plan for disposition of County property through sale, lease, or other conveyance to public or private parties under terms and conditions which will, in the determination of the County Executive, promote a specific public purpose, limited to transportation, not-for-profit sport and recreational uses, and day care centers for children or] [adults. The plan for disposition, including the public purpose to be served and the terms of the conveyance, shall be submitted to the County Council, and the County Executive shall be authorized to proceed with the disposition upon approval by the County Council by resolution.

(h) **Disposition Resolutions.**

(1) After notice and public hearing, the Authority shall submit a resolution to the County Council setting forth the proposed disposition(s). The resolution shall contain only those properties proposed for transfer to private entities or for which more than one Preferred Government Entity exercised a first right of refusal.

(2) The County Council shall schedule a public hearing and take action within thirty (30) days of transmittal of the resolution. The County Council may reject the proposed disposition(s) by majority vote of the full Council. If the County Council fails to timely schedule the hearing or object by majority vote, the proposed disposition(s) in the resolution shall be deemed approved.

(3) If a resolution is transmitted during County Council recess, or the thirty (30) days by which the County Council must schedule a hearing and take action expires during recess, then the County Council shall schedule a hearing and take action within ten (10) days after return from recess. If the Council fails to schedule the hearing and take action on the resolution by majority vote within ten (10) days after return from recess, then the resolution shall be deemed approved.

(i) **Reversionary Interest**.

(1) Disposition of the property to a Preferred Government Entity other than the Revenue Authority of Prince George's County shall be subject to the condition that the property will revert to the County if the public use is discontinued.

(2) Within sixty (60) days of the discontinuance of the public use, or after any extension which may be granted for good cause, a deed shall be executed transferring the property, which shall be in at least as good a condition as it was when received, back to the County.

(3) If any property that has reverted to the County is subsequently sold for a sale price in excess of the appraised value of the property at the time it was declared surplus to County needs, the Preferred Government Entity shall also be reimbursed for the cost of improvements made to the principal structure, if any,]

[on the property. If the County Executive is satisfied that another public use will replace one which has been discontinued, no transfer shall be required. As an alternative to the property reverting to the County, the Preferred Government Entity may reimburse the County for the fair market value of the property at the time it was conveyed to the Preferred Government Entity.

(4) Where the County Executive finds it in the public interest to convey title to another Preferred Government Entity for less than the acquisition cost, the County Executive may so convey provided they set forth reasonable justification, in writing, to the County Council prior to the sale.

(5) Whenever a property is proposed for disposition by sale to the Maryland-National Capital Park and Planning Commission, the purchase price shall be no less than the present value of the remaining bonded indebtedness attributable to the property.

(j) **Exemption for Sale/Leaseback**. The County Executive shall be authorized to sell, lease or otherwise dispose of any County-owned property, and to enter into a leaseback of the same to the County in furtherance of a public purpose, without complying with any of the other provisions of this Section 2-111.01 or Section 2-112 of the County Code, provided that:

(1) The County Council has approved the sale, lease or other disposition and leaseback of such property by resolution.

(2) The County Executive shall cause notice of the proposed disposition to be given in accordance with Section 10-312, Local Government Article of the Annotated Code of Maryland

(3) The approval by resolution of the County Council of the sale, lease or other disposition of County-owned property and the leaseback of the same shall be an authorization to the County Executive to act within two (2) years of the effective date of the resolution upon such terms as the County Executive determines are in the best interests of the County, subject to any limitations contained in such resolution.

(4) Any contracts relating to the proposed sale, lease or other disposition and the leaseback of an approved property may be negotiated and accepted]

[by the County Executive within two (2) years of the effective date of the County Council resolution.

(5) Notwithstanding the provisions of Section 2-112 of the County Code, lease payments or any other payments provided for with respect to a leaseback may be included in either the County's capital or operating budget.

(6) Any leaseback may be structured:

(A) as a true lease such that upon expiration or termination of the leaseback, title to the property shall remain in the person to whom the property was transferred in accordance with this Subsecction (j); or

(B) any leaseback may be structured as a lease-purchase or similar arrangement such that title to the transferred property shall be acquired by the County upon expiration or termination of the leaseback (subject to to any remedies the lessor may have upon an event of default or event of of non-appropriation), as provided in any contracts negotiated and accepted negotiated and accepted by the County Executive under the provisions of this Subsection (j), without further compliance with the provisions of the Section 2-111.01 or Section 2-112 of the County Code.

(7) All documents or set of documents pertaining to the solicitation of proposals and any development agreement, deed, lease, construction contract or other document designed to implement a transaction authorized by this subsection shall require:

(A) that the construction portion of the project shall be considered a “public work” constructed by a “public body;” and

(B) that the provisions of Subtitle 2, Division 14 of the County Code shall apply to the project as if the project were constructed directly by the County; and

(C) that the Purchasing Agent shall establish a goal for the utilization of minority contractors on the project in accordance with the criteria contained in Section 10A-136 of the County Code; and

(D) that any party performing construction work shall be considered a “contractor” and shall be required to comply with the provisions of Subtitle 2, Division 14 and Subtitle 10A, Division 6, Subdivision 1 of the County]

[Code.

(k) **Previous Owner Dispositions.** Except for property proposed for economic development, including elderly housing and affordable housing projects, or proposed for disposition pursuant to Subsections (e) (Preferred Government Entities), (g) (Specific Public Purposes), or (j) (Sale/Leaseback), the owner(s) from whom property was acquired by the County, or the heirs and assigns of the owner(s), shall have the first right over any other person to reacquire the property (or such portion of it which is declared surplus) if all of the following conditions are met:

(1) The property was acquired by the County through grant, purchase, or eminent domain within the last twenty-five (25) years. Such property shall include that acquired by the County from a Preferred Government Entity. It shall not include acquisition through purchase at tax sale.

(2) The determination of the County Executive that the property is surplus occurs within twenty-five (25) years after County acquisition or in the case of an acquisition from another Preferred Government Entity the determination occurs within twenty-five (25) years after the acquisition by that agency.

(3) The former owner or heir has asserted his right to reacquire the property within sixty (60) days after the following have occurred:

(A) The Authority shall send notice of the previous owner's right of reacquisition by first class mail to their last known address. The last known address of the previous owner shall be presumed to be that address set forth in the tax assessment records for the year that the subject property was acquired, unless the County shall have been notified in writing of a different address; and

(B) Similar notification shall be published for a period of three (3) successive weeks in the County newspapers of record.

(4) The repurchase price shall be the price approved by legislative act of the Council or, where no price is fixed, the fair market value at the time the property is sold.

(l) **Leasing**. The County Executive, as an alternative to the sale of property, may propose] [the leasing of County-owned property. Said proposals shall include, but need not be limited to, the maximum lease periods including renewal rights and the minimum rentals to be charged. Notwithstanding the provisions of this Section requiring approval by legislative act or resolution, the County Executive may authorize the leasing of any County-owned property for a maximum lease period of one (1) year or less, with no renewal rights.

(m) **Surplus School Property.** When the property to be disposed of, whether by sale or lease, is a surplus school within a municipality, the municipality will be given notice of any proposed adaptive reuse of the school immediately upon receipt of the proposal. In the event that a municipality, within thirty (30) days of the notice, objects in writing to a proposal for reuse of a surplus school, the Authority shall schedule and give not less than fourteen (14) days notice of a public hearing on the proposal. Said hearing shall be held in the municipality.

(n) **Approval Expiration**. The approval by resolution of the County Council of the sale, lease, or other disposition of County-owned property, shall be an authorization to the County Executive to act within two (2) years of the date of the resolution. The authority shall extend to all properties enumerated in the disposition resolution irrespective of whether the County held title in a governmental or proprietary capacity or the property is impressed with a public trust. If the County Executive fails to act within two (2) years from the date of resolution, the County Council's approval to the County Executive of the sale, lease, or other disposition of County-owned property shall be deemed a disapproval.

(o) **Surplus by Executive Order**.

(1) When the County becomes the owner of a parcel of real property which cannot be developed in accordance with the minimum requirements of Subtitle 27 of this Code due to size or configuration because it is an abandoned roadway or is less than five thousand (5,000) square feet in size, the parcel shall immediately become surplus upon Executive Order without further action by the County Executive or the County Council. Such property may be offered for sale at the fair market value if it is equal to, or greater]

[than, the amount of any outstanding taxes, interest, and penalties due on the property, plus administrative costs incident to transfer. Properties of this nature will be included and so designated in the inventory required under this Subtitle.

(2) When the County acquires a parcel of real property through a floodplain acquisition program, the parcel shall immediately become surplus upon Executive Order executed not less than forty-five (45) days after notice to the County Council without further action by the County Executive or the County Council. Such property may be offered for sale to the Maryland-National Capital Park and Planning Commission in accordance with Subsection (e), or leased or offered for sale to the adjacent landowner(s) or neighborhood homeowners association at the fair market value which shall include the amount of any outstanding taxes, interest, and penalties due on the property, plus costs incident to transfer. All contracts for the sale of such property shall be accompanied by fully executed restrictive covenants designed to protect the floodplain and reflect the restrictions as imposed by law.

(p) **Hospital System.** This Section shall have no application to the disposition by lease or transfer without consideration of all or a portion of the Prince George's County Hospital System, consisting of the Prince George's General Hospital and Medical Center, the property formerly known as the Greater Laurel Beltsville Hospital, and the Bowie Health Center to Dimensions Health Corporation or University of Maryland Medical Systems.

(q) **Surplus Property Report.** The Authority shall submit to the County Council on each first Friday of January an annual report of all properties approved as surplus during the previous calendar year.]

(CB-142-1976; CB-131-1978; CB-3-1980; CB-23-1982; CB-54-1982; CB-23-1983; CB-116-1983; CB-133-1983; CB-56-1989; CB-67-1990; CB-95-1990; CB-76-1991; CB-106-1993; CB-77-2002; CB-51-2017)

SUBTITLE 2. ADMINISTRATION.
Section 2-111.01,
The Prince George's County Code
(2023 Edition; 2024 Supplement).

Sec. 2-111.01 Sale, lease, or other disposition of County property.

The County Executive shall be authorized to sell, lease, or otherwise dispose of any County-owned real property, when such property is no longer needed for County use or when the proposed disposition is in furtherance of a public purpose, including a sale/leaseback or a lease/leaseback, in accordance with the following provisions:

(a) The County Executive shall establish an inventory of all real property and improvements titles in the name of Prince Georges County and all real property and improvements to which Prince Georges County has an equitable or fee simple title. The inventory shall include properties acquired through tax sales, grants, purchases, eminent domain, or by operation of law, including property transferred to the County from other governmental agencies and the Board of Education. Properties utilized for properties acquired through tax sales may be sold without regard to this Section at any time prior to the foreclosure of the right of redemption, in accordance with the provisions of State law.

(b) The County Executive shall present the inventory to the County Council no later than the first day of May each year. Only those properties which are contained within the inventory shall be permitted to be proposed for lease, sale, or disposal. Revisions to the inventory shall be submitted as necessary. The County Executive, at least once annually, shall review the inventory of all real property and improvements held in fee by Prince George's County and shall transmit, for the approval by resolution of the County Council, a list of all properties to be leased, offered for sale, or otherwise disposed of.

(c) Every property shall be adequately described and shall contain a statement of its acquisition cost, date of acquisition, present assessment value, and, where proposed for private sale, the proposed sale price, the name of the proposed purchaser, and a list of the type and value of any waiver, abatement, adjustment, or deferral of County fees, charges, or taxes pertaining to the property.

Except when the proposed disposition is a sale/leaseback, the County Executive

(d) shall give first priority for the purchase of any property to be offered for sale to any municipality in which the property lies, in whole or in part, as well as to the Maryland-National Capital Park and Planning Commission, Washington Suburban Sanitary Commission, and to the State. Notifications to these governmental bodies shall include a statement that the property may be purchased for public use only, and for an amount equal to the County's acquisition cost plus expenses incident to transfer. A letter of intent to purchase must be given to the County Executive within thirty (30) days after receipt by the governmental agency of the proposed disposition. If timely notice of intention to purchase is given to the County Executive, the County Executive shall hold the property for a period of at least sixty (60) days or until notice of interest is withdrawn, whichever is earlier. During this holding period, the governmental body shall submit to the County Executive a proposed plan for the use of the property and any improvements, and proof of financial ability to operate and maintain any existing structures. To meet the requirement for public use, not more than ten percent (10%) of the usable space of any structure may be rented by the governmental agency acquiring the property for an amount exceeding the cost of maintaining and operating such space. The County Executive may, where the property requires the maintenance of a structure, require the municipality or State agency as a condition of holding the option open to maintain the property in at least the same condition as it was when the option became effective until the option is exercised or expires. Following evaluation of all proposals for disposition of the property, the County Executive may dispose of the property as he deems will best serve the County.

Disposition of the property to the Maryland-National Capital Park and Planning Commission, Washington Suburban Sanitary Commission, any municipality, or the State shall be subject to the condition that the property will revert to the County if the public use is discontinued. Within sixty (60) days of the discontinuance of the public use, or after any any extension which may be granted for good cause, a deed shall be executed transferring the property, in at least as good a condition as it was when received, back to the County. In such case, the governmental agency shall be reimbursed for the original cost of purchase. In addition, if any property which has reverted to the County is subsequently sold for a sale price in excess of the appraised value of the property at the time it was declared surplus to County needs, the governmental agency shall also be reimbursed for the cost of improvements made to the principal structure, if any, on the property. If the County Executive is satisfied that another public use will replace one which has been discontinued, no transfer shall be required. As an alternative to the property reverting to the County, the governmental agency may reimburse the County for the fair market value of the property at the time it was conveyed to the governmental agency. Where the County Executive finds it in the public interest to convey title to another governmental agency for less than the acquisition cost, she may so convey provided she sets forth reasonable justification, in writing, to the County Council prior to the sale. Whenever a property is proposed for disposition by sale to the Maryland-National Capital Park and Planning Commission, the purchase price to the Commission shall be the present value of the remaining bonded indebtedness attributable to the property.

(e) The County Executive may propose a plan for disposition of County property through sale, lease, or other conveyance to public or private parties under terms and conditions which will, in the determination of the County Executive, promote a specific public purpose, limited to elderly housing, affordable family housing, transportation, not-for-profit sport and recreational uses, and day care centers for children or adults. The plan for disposition, including the public purpose to be served and the terms of the conveyance, shall be submitted to the County Council, and the County Executive shall be authorized to proceed with the disposition upon approval by the County Council by resolution.

(f) When the property is not to be acquired by a governmental agency, the County Executive shall advertise the availability of such property in at least two (2) newspapers of general circulation in the County, so as to provide an opportunity for any interested person to submit a contract to purchase or lease such property. Any contract may be negotiated and accepted by the County Executive subject to approval by resolution of the County Council. When no purchaser is specifically identified, the County Executive may sell the property to the highest bidder at a public sale. No disposition of any surplus property may be permitted without Council approval by resolution declaring the property surplus to County needs and, where proposed for sale, approving a minimum sale price as required by Subsection 2-111.01(b) and (c).

(g) The County Executive shall be authorized to sell, lease or otherwise dispose of any County-owned property, and to enter into a leaseback of the same to the County in furtherance of a public purpose, without complying with any of the other provisions of Subsection 2-111.01 or Section 2-112 of the County Code, provided that the County Council has approved the sale, lease or other disposition and leaseback of such property by resolution. The County Executive shall cause notice of the proposed disposition to be given in accordance with Article 25A, Section 5(B) of the Annotated Code of Maryland. The approval by resolution of the County Council of the sale, lease or other disposition of County- owned property and the leaseback of the same shall be an authorization to the County Executive to act within two (2) years of the effective date of the resolution upon such terms as the County Executive determines are in the best interests of the County, subject to any limitations contained in such resolution. Any contracts relating to the proposed sale, lease or other disposition and the and the leaseback of an approved property may be negotiated and accepted by the County Executive within two (2) years of the effective date of the County Council resolution. Notwithstanding the provisions Section 2-112 of the County Code, lease payments or any other payments provided for with respect to a leaseback may be included in either the County's capital or operating budget. Any leaseback may be structured as a true lease such that upon expiration or termination of the leaseback, title to the property shall remain in the person to whom the property was transferred in accordance with this Subsection (g), or any leaseback may be structured as a lease-purchase or similar arrangement such that title to the transferred property shall be acquired by the County upon expiration or termination of the leaseback (subject to any remedies the lessor may have upon an event of default or event of non-appropriation), as provided in any contracts negotiated and accepted by the County Executive under the provisions of this Subsection (g), without further compliance with the provisions of this Section 2-111.01 or Section 2-112 of the County Code. All documents or set of documents pertaining to the solicitation of proposals and any development agreement, deed, lease, construction contract or other document designed to implement a transaction authorized by this subsection shall require that the construction portion of the project shall be considered a "public work" constructed by a "public body" and that the provisions of Subtitle 2, Division 14 of the County Code shall apply to the project as if the project were constructed directly by the County; that the Purchasing Agent shall establish a goal for the utilization of minority contractors on the project in accordance with the criteria contained in Section 10A-136 of the County Code; and that any party performing construction work shall be considered a "contractor" and shall be required to comply with the provisions of Subtitle 2, Division 14 and Subtitle 10A, Division 6, Subdivision 1 of the County Code.

(h) Except for property proposed for disposition pursuant to Subsections (d) and (e), the owner(s) from whom property was acquired by the County, or the heirs and assigns of the owner(s), shall have the first right over any other person to reacquire the property (or such portion of it which is declared surplus) if all of the following conditions are met:

(1) The property was acquired by the County through grant, purchase, or eminent domain within the last twenty-five (25) years. Such property shall include that acquired by the County from a governmental agency. It shall not include acquisition through purchase at tax sale.

(2) The determination of the County Executive that the property is surplus occurs within twenty-five (25) years after County acquisition or in the case of an acquisition from another governmental agency the determination occurs within twenty-five (25) years after the acquisition by that agency.

(3) The former owner or heir has asserted his right to reacquire the property within sixty (60) days after the following have occurred:

(A) The County shall send notice of the previous owner's right of reacquisition by first class mail to his last known address. The last known address of the previous owner shall be presumed to be that address set forth in the tax assessment records for the year that the the subject property was acquired, unless the County shall have been notified in writing of a different address; and

(B) Similar notification shall be published for a period of three (3) successive weeks in the County newspapers of record.

(4) The repurchase price shall be the price approved by legislative act of the Council or, where no price is fixed, the fair market value at the time the the property is sold.

(i) The County Executive, as an alternative to the sale of property, may propose the leasing of County-owned property. Said proposals shall include, but need not be limited to, the maximum lease periods including renewal rights and the minimum rentals to be charged. Notwithstanding the provisions of this Section requiring approval by resolution, the County Executive may authorize the leasing of any County-owned property for a maximum lease period of one (1) year or less, with no renewal rights.

(j) When the property to be disposed of, whether by sale or lease, is a surplus school within a municipality, the municipality will be given notice of any proposed adaptive reuse of the school immediately upon receipt of the proposal. In the event that a municipality, within thirty (30) days of the notice, objects in writing to a proposal for reuse of a surplus school, the County Executive or his designee shall schedule and give not less than fourteen (14) days notice of a public hearing on the proposal. Said hearing shall be held in the municipality.

(k) The approval by resolution of the County Council of the sale, lease, or other disposition of County-owned property, shall be an authorization to the County Executive to act within two (2) years of the date of the resolution. The authority shall extend to all properties enumerated in the resolution irrespective of whether the County held title in a governmental or proprietary capacity, or the property is impressed with a public trust.

(l) When the County becomes the owner of a parcel of real property which cannot be developed in accordance with the minimum requirements of Subtitle 27 of this Code due to size or configuration because it is an abandoned roadway or is less than five thousand (5,000) square feet in size, the parcel shall immediately become surplus upon Executive Order without further action by the County Executive or the County Council. Such property may be offered for sale at the fair market value if it is equal to, or greater than, the amount of any outstanding taxes, interest, and penalties due on the property, plus administrative costs incident to transfer. Properties of this nature will be included and so designated in the inventory required under this Subtitle.

(m) When the County acquires a parcel of real property through a floodplain acquisition program, the parcel shall immediately become surplus upon Executive Order executed not less than forty-five (45) days after notice to the County Council without further action by the County Executive or the County Council. Such property may be offered for sale to the Maryland-National Capital Park and Planning Commission in accordance with Subsection (d), or leased or offered for sale to the adjacent landowner(s) or neighborhood homeowners association at the fair market value which shall include the amount of any outstanding taxes, interest, and penalties due on the property, plus costs incident to transfer. All contracts for the sale of such property shall be accompanied by fully executed restrictive covenants designed to protect the floodplain and reflect the restrictions as imposed by law.

(n) All properties disposed of pursuant to the provisions of this Section shall be advertised in accordance with the provisions of Article 25A, Section 5(b), of the Annotated Code of Maryland for three (3) successive weeks in the County newspapers of record prior to public sale, setting forth the particulars as to where, when, and to whom objections may be filed. No disposition of property shall be final until any objections timely filed have been reviewed by the County Executive and written notice is given to the lessee or purchaser that all objections, if any, to the lease or sale have been reviewed and that there is no legal reason why the lease or sale should not be final.

(o) This Section shall have no application to the disposition by lease or transfer without consideration of all or a portion of the Prince George's County Hospital System, consisting of the Prince George's General Hospital and Medical Center, the property formerly known as the Greater Laurel Beltsville Hospital, and the Bowie Health Center to Dimensions Health Corporation or University of Maryland Medical Systems.

(p) Wherever an approval by resolution of the County Council is required by this Section, a published notice and a public hearing shall be required prior to adoption of each resolution. Within five days following the introduction of the resolution, the Clerk of the Council shall schedule and give public notice of a public hearing on the resolution, which hearing shall not be less than fourteen days after its introduction. After the public hearing, a resolution may be finally adopted without amendment. If it is necessary to amend the resolution after the public hearing is held, a new public notice period and public hearing is required prior to adoption.

(CB-142-1976; CB-131-1978; CB-3-1980; CB-23-1982; CB-54-1982; CB-23-1983; CB-116-1983; CB-133-1983; CB-56-1989; CB-67-1990; CB-95-1990; CB-76-1991; CB-106-1993; CB-77-2002; CB-51-2017)

Editor's note – The amendments contained within CB-77-2002 have been codified. See also Opinion and Order dated January 24, 2003, in City of Bowie, Maryland v. Prince George's County, Maryland, CAE 02-27809.

* * * * * * * * *

SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this

Act, since the same would have been enacted without the incorporation in this Act of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection, or section

SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days.

Adopted this _____ day of ____________ , 2025.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

BY: ________________________________
Edward P. Burroughs, III
Chair

ATTEST:

____
Donna J. Brown
Clerk of the Council

APPROVED:

DATE: ________________________ BY: ________________________________
Aisha N. Braveboy
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.