

February 17, 2026

Senate Judicial Proceedings Committee
2 East Miller Senate Office Building
Annapolis, Maryland 21401

Re: Testimony in support of SB 630 Overhead Transmission Lines and Eminent Domain – Property Value - Damages

Dear Members of the Senate Judicial Proceedings Committee:

I am Harris Eisenstein, a Maryland attorney focusing on eminent domain and related litigation. I strongly support SB 630.

For fifteen years, I have represented Maryland citizens and businesses facing government takings of their private property by eminent domain. This power is rooted in the Fifth Amendment to the U.S. Constitution, which reads in relevant part: “nor shall private property be taken for public purpose, without just compensation.”

Although Maryland condemners must pay “just compensation,” state law does not allow condemnees to recover a truly *just* amount for the life-changing loss of property rights. SB 630 is a crucial step forward.

Currently, a condemnee may recover the value of land and improvements taken by eminent domain, plus any loss in value to whatever property remains post-take. Md. Code Ann., Real Prop. §§ 12-104, 12-105. Legal and expert fees are generally not recoverable, even though condemners’ initial offers often fall short of just compensation. These below-market offers force private citizens to hire attorneys and experts to develop the true value of the property taken. As a result, even if the compensation increases, the net recovery is reduced by any money spent on attorneys and experts. This is unjust.

SB 630 addresses this inequity, especially for those in Baltimore, Carroll, and Frederick Counties at risk of losing property rights to a planned 70-mile transmission line known as the Maryland Piedmont Reliability Project (“MPRP”). If the MPRP sponsors gain eminent domain authority, a question before the Maryland Public Service Commission, they will acquire property rights to install high-voltage, above-ground power lines across Maryland.

The MPRP is the first of many proposed transmission projects. SB 630 will protect citizens in the path of such projects by allowing them to recover the market value of the land taken *plus* all legal, expert, and related fees they incur. Considering that most condemners force citizens to fight for fair compensation, expanding the scope of recovery to include litigation expenses levels the playing field.

Thank you for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read "H. Eisenstein", with a long horizontal flourish extending to the right.

Harris W. Eisenstein