

HOUSE BILL 1413

P3, L6
HB 989/15 – HRU

6lr2390

By: **Delegates McKay, Arentz, Buckel, Cluster, Grammer, Kittleman, Krebs,
McComas, McConkey, McMillan, W. Miller, Parrott, Rose, and Wivell**

Introduced and read first time: February 12, 2016

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **State Government – Legislation Impacting Local Government Land Use**
3 **Decisions – Economic Impact Analyses**

4 FOR the purpose of requiring certain Executive Branch agencies and the Department of
5 Legislative Services to prepare economic impact analyses for certain bills that impact
6 local government land use decisions; providing for the submission of certain economic
7 impact analyses to the Department, certain committees, and certain individuals
8 within certain time frames; specifying the minimum requirements for an economic
9 impact analysis; requiring an Executive Branch agency or the Department to consult
10 as appropriate with certain persons on the preparation of an economic impact
11 analysis; requiring a unit of State or local government to provide the Department
12 with assistance or information under certain circumstances; authorizing the
13 Department to include an economic impact analysis of a bill as part of a fiscal note,
14 comment on a certain economic impact analysis, and revise an economic impact
15 analysis under certain circumstances; requiring the Department to maintain a copy
16 of an economic impact analysis on the Web site of the General Assembly; providing
17 that an economic impact analysis of a bill need not be published in the Senate journal
18 or House journal; providing that the validity of the enactment of a bill is not affected
19 by the presence, absence, or content of an economic impact analysis; defining certain
20 terms; and generally relating to economic impact analyses of certain bills impacting
21 local government land use decisions.

22 BY adding to

23 Article – State Government
24 Section 2–1505.3
25 Annotated Code of Maryland
26 (2014 Replacement Volume and 2015 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – State Government

2-1505.3.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “DEPARTMENT” MEANS THE DEPARTMENT OF LEGISLATIVE SERVICES.

(3) “ECONOMIC IMPACT ANALYSIS” MEANS AN ESTIMATE OF THE COST OR THE ECONOMIC BENEFIT TO RESIDENTS AND BUSINESSES THAT MAY BE AFFECTED BY A PROPOSED BILL INTRODUCED AT A SESSION OF THE GENERAL ASSEMBLY.

(B) (1) AN ECONOMIC IMPACT ANALYSIS SHALL BE PREPARED BY THE APPROPRIATE EXECUTIVE BRANCH AGENCY FOR EACH BILL THAT:

(I) IS INTRODUCED AT THE REQUEST OF THE ADMINISTRATION OR A DEPARTMENT, AN AGENCY, OR A COMMISSION OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT; AND

(II) IMPACTS LOCAL GOVERNMENT LAND USE DECISIONS.

(2) A COPY OF THE ECONOMIC IMPACT ANALYSIS REQUIRED UNDER THIS SUBSECTION SHALL BE SUBMITTED BY THE GOVERNOR’S OFFICE TO:

(I) THE DEPARTMENT WITHIN A REASONABLE TIME FRAME BEFORE THE HEARING ON THE BILL TO ALLOW THE DEPARTMENT TO COMMENT ON THE ECONOMIC IMPACT ANALYSIS; AND

(II) THE COMMITTEE TO WHICH THE BILL IS REFERRED BEFORE THE HEARING ON THE BILL.

(C) (1) AN ECONOMIC IMPACT ANALYSIS SHALL BE PREPARED BY THE DEPARTMENT FOR EACH BILL THAT:

(I) IS INTRODUCED BY A MEMBER OF THE GENERAL ASSEMBLY; AND

(II) IMPACTS LOCAL GOVERNMENT LAND USE DECISIONS.

1 **(2) A COPY OF THE ECONOMIC IMPACT ANALYSIS REQUIRED UNDER**
2 **THIS SUBSECTION SHALL BE SUBMITTED BY THE DEPARTMENT TO:**

3 **(I) THE PRIMARY SPONSOR OF THE BILL; AND**

4 **(II) THE COMMITTEE TO WHICH THE BILL IS REFERRED BEFORE**
5 **THE HEARING ON THE BILL.**

6 **(D) THE ECONOMIC IMPACT ANALYSIS REQUIRED UNDER THIS SECTION**
7 **SHALL INCLUDE, AT A MINIMUM, THE EFFECT ON PROPERTY VALUES AND TAXATION.**

8 **(E) (1) THE EXECUTIVE BRANCH AGENCY OR THE DEPARTMENT**
9 **PREPARING THE ECONOMIC IMPACT ANALYSIS REQUIRED UNDER THIS SECTION**
10 **SHALL CONSULT WITH, AS APPROPRIATE:**

11 **(I) OTHER UNITS OF STATE GOVERNMENT;**

12 **(II) UNITS OF LOCAL GOVERNMENT; AND**

13 **(III) BUSINESS, TRADE, CONSUMER, LABOR, AND OTHER GROUPS**
14 **IMPACTED BY OR HAVING AN INTEREST IN THE LEGISLATION.**

15 **(2) ON REQUEST OF THE EXECUTIVE DIRECTOR OF THE**
16 **DEPARTMENT, A UNIT OF THE STATE OR A LOCAL GOVERNMENT SHALL PROVIDE**
17 **THE DEPARTMENT WITH ASSISTANCE OR INFORMATION IN THE PREPARATION OF**
18 **AN ECONOMIC IMPACT ANALYSIS.**

19 **(F) (1) THE DEPARTMENT MAY INCLUDE AN ECONOMIC IMPACT**
20 **ANALYSIS PREPARED BY THE DEPARTMENT OR BY THE APPROPRIATE EXECUTIVE**
21 **BRANCH AGENCY AS PART OF A FISCAL NOTE.**

22 **(2) THE DEPARTMENT MAY COMMENT ON THE ECONOMIC IMPACT**
23 **ANALYSIS PREPARED BY THE APPROPRIATE EXECUTIVE BRANCH AGENCY.**

24 **(G) THE DEPARTMENT MAY REVISE THE ECONOMIC IMPACT ANALYSIS**
25 **CONSISTENT WITH AN AMENDED VERSION OF A BILL.**

26 **(H) THE DEPARTMENT SHALL MAINTAIN A COPY OF EACH ECONOMIC**
27 **IMPACT ANALYSIS ON THE WEB SITE OF THE GENERAL ASSEMBLY.**

28 **(I) AN ECONOMIC IMPACT ANALYSIS NEED NOT BE PUBLISHED IN THE**
29 **SENATE JOURNAL OR HOUSE JOURNAL.**

1 **(J) THE VALIDITY OF AN ENACTMENT OF A BILL IS NOT AFFECTED BY THE**
2 **PRESENCE, ABSENCE, OR CONTENT OF AN ECONOMIC IMPACT ANALYSIS.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
4 1, 2016.