

# HOUSE BILL 239

L6, N1

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CF 3lr1216

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By: **Delegates J. Long, Addison, Charles, Foley, Grossman, Holmes, Lehman, Palakovich Carr, Smith, Stewart, Toles, and Woods**

Introduced and read first time: January 23, 2023

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Accessory Dwelling Unit Promotion and Policy Task Force**

3 FOR the purpose of establishing the Accessory Dwelling Unit Promotion and Policy Task  
4 Force to study state and local government efforts to promote the creation of accessory  
5 dwelling units on land zoned for single-family residential use and review existing  
6 laws and policies associated with the development of accessory dwelling units  
7 throughout the State of Maryland; and generally relating to the Accessory Dwelling  
8 Unit Promotion and Policy Task Force.

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
10 That:

11 (a) (1) In this section the following words have the meanings indicated.

12 (2) “Accessory dwelling unit” means a secondary dwelling unit on the same  
13 lot, parcel, or tract as a primary dwelling unit that is constructed:

14 (i) attached to, or through the conversion of, a portion of the primary  
15 dwelling unit;

16 (ii) attached to, or through the full or partial conversion of, an  
17 accessory structure located on the same lot, parcel, or tract as the primary dwelling unit;  
18 or

19 (iii) as a new building, detached from the primary dwelling unit and  
20 any existing accessory structure.

21 (3) “Dwelling unit” means a single unit that provides independent living  
22 facilities for at least one person.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1           (4)    “Utility” means water or sewer disposal services provided by:
- 2                   (i)    a private company regulated under Division I of the Public  
3 Utilities Article;
- 4                   (ii)   the Washington Suburban Sanitary Commission regulated  
5 under Division II of the Public Utilities Article;
- 6                   (iii)   a sanitary commission regulated under Title 9, Subtitle 6 of the  
7 Environment Article; or
- 8                   (iv)   a municipal authority regulated under Title 9, Subtitle 7 of the  
9 Environment Article.
- 10           (b)    There is an Accessory Dwelling Unit Promotion and Policy Task Force.
- 11           (c)    The Task Force consists of the following members:
- 12                   (1)    one member of the Senate of Maryland, appointed by the President of  
13 the Senate;
- 14                   (2)    one member of the House of Delegates, appointed by the Speaker of the  
15 House;
- 16                   (3)    the Secretary of Planning, or the Secretary’s designee; and
- 17                   (4)    the following members, appointed by the Governor:
- 18                           (i)    one representative of the Maryland Association of Counties;
- 19                           (ii)   one representative of the Maryland Municipal League;
- 20                           (iii)   one representative of the Maryland Building Industry  
21 Association;
- 22                           (iv)   one representative of the Maryland Association of Realtors;
- 23                           (v)   one representative of the Community Associations Institute;
- 24                           (vi)   one individual with professional experience as a building  
25 inspector in the State;
- 26                           (vii)   one individual with professional experience in community  
27 development, including the planning of residential and mixed-use residential  
28 developments in urban, suburban, and rural areas of the State; and

1 (viii) one individual with professional experience in the planning and  
2 development of roads and highways.

3 (d) The Governor shall designate the chair of the Task Force.

4 (e) The Department of Planning shall provide staff for the Task Force.

5 (f) A member of the Task Force:

6 (1) may not receive compensation as a member of the Task Force; but

7 (2) is entitled to reimbursement for expenses under the Standard State  
8 Travel Regulations, as provided in the State budget.

9 (g) In order to help the State meet its affordable housing needs, the Task Force  
10 shall:

11 (1) study state and local government efforts to promote the creation of  
12 accessory dwelling units on land zoned for single-family residential use, including laws or  
13 policies intended to:

14 (i) establish limits on the maximum square footage of an accessory  
15 dwelling unit, relative to the square footage of the primary dwelling unit;

16 (ii) streamline or standardize the application process for permits  
17 necessary to build or operate an accessory dwelling unit;

18 (iii) reduce or eliminate development impact fees, building excise  
19 taxes, or utility connection fees for accessory dwelling units under a certain square footage;  
20 and

21 (iv) authorize the developer of an accessory dwelling unit to utilize  
22 existing utility connections between the primary dwelling unit and a water or sewer main,  
23 provided the existing connection is deemed sufficient to support the addition of the  
24 accessory dwelling unit;

25 (2) review existing laws and policies associated with the development of  
26 accessory dwelling units throughout the State, including laws and policies concerning:

27 (i) the management or limitation of residential growth in areas  
28 zoned for single-family residential use;

29 (ii) minimum lot sizes for the development of new dwelling units;

30 (iii) setback requirements from the side and rear lot lines for a  
31 dwelling unit or accessory structure;

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1 (iv) minimum square footage requirements for dwelling units;

2 (v) the connection of accessory dwelling units to utilities; and

3 (vi) off-street parking requirements; and

4 (3) make legislative or other policy recommendations, including a list of  
5 best practices for local governments in the State, that promote and encourage the creation  
6 and operation of accessory dwelling units on land zoned for single-family residential use.

7 (h) (1) On or before December 31, 2023, the Task Force shall report its  
8 activities undertaken during 2023 to the Governor and, in accordance with § 2-1257 of the  
9 State Government Article, the General Assembly.

10 (2) On or before December 1, 2024, the Task Force shall report its findings  
11 and recommendations to the Governor and, in accordance with § 2-1257 of the State  
12 Government Article, the General Assembly.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
14 1, 2023. It shall remain effective for a period of 2 years and 1 month and, at the end of June  
15 30, 2025, this Act, with no further action required by the General Assembly, shall be  
16 abrogated and of no further force and effect.