

SENATE BILL 22

O3

(PRE-FILED)

6lr0053
CF HB 226

By: **Chair, Finance Committee (By Request – Departmental – Disabilities)**

Requested: September 25, 2025

Introduced and read first time: January 14, 2026

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Disabilities – Housing Programs and Affiliated Foundations –**
3 **Establishment**

4 FOR the purpose of requiring the Department of Disabilities to establish affordable and
5 accessible housing programs; authorizing the Department to establish affiliated
6 foundations to work with certain programs and units of the Department to solicit
7 and accept funds, partner with individuals and entities, and promote certain
8 activities that support certain projects; and generally relating to the establishment
9 of housing programs and affiliated foundations by the Department of Disabilities.

10 BY repealing and reenacting, with amendments,
11 Article – Human Services
12 Section 7–114(b)
13 Annotated Code of Maryland
14 (2019 Replacement Volume and 2025 Supplement)

15 BY adding to
16 Article – Human Services
17 Section 7–117
18 Annotated Code of Maryland
19 (2019 Replacement Volume and 2025 Supplement)

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

22 **Article – Human Services**

23 7–114.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(b) The Department shall oversee and administer the following programs and units:

(1) constituent services and ombudsmen programs;

(2) the Assistive Technology Guaranteed Loan Program under Subtitle 6 of this title;

(3) the Office of Personal Assistance Services, including the Attendant Care Program under Subtitle 4 of this title;

(4) Telecommunications Access of Maryland under Subtitle 8 of this title;

(5) Telecommunications Devices and Distribution of Accessible Information for Disabled Individuals under Subtitle 9 of this title;

(6) the Office of Disability Employment Advancement and Policy; [and]

(7) the Maryland Assistive Technology Program under Subtitle 14 of this title; AND

(8) AFFORDABLE AND ACCESSIBLE HOUSING PROGRAMS.

7–117.

(A) IN ACCORDANCE WITH § 7–114 OF THIS SUBTITLE, THE DEPARTMENT MAY ESTABLISH ONE OR MORE AFFILIATED FOUNDATIONS TO WORK WITH THE MARYLAND ASSISTIVE TECHNOLOGY PROGRAM, THE ASSISTIVE TECHNOLOGY GUARANTEED LOAN PROGRAM, THE OFFICE OF DISABILITY EMPLOYMENT ADVANCEMENT AND POLICY, AND THE DEPARTMENT’S AFFORDABLE AND ACCESSIBLE HOUSING PROGRAMS.

(B) THE PURPOSE OF AN AFFILIATED FOUNDATION IS TO:

(1) SOLICIT AND ACCEPT FUNDS AND PARTNER WITH INDIVIDUALS, CORPORATIONS, AND OTHER ENTITIES TO SUPPORT INNOVATIVE PROJECTS DESIGNED TO MAINTAIN, EXPAND, AND ENHANCE THE PROGRAMS AND UNITS SPECIFIED IN SUBSECTION (A) OF THIS SECTION; AND

(2) PROMOTE ACTIVITIES THAT:

(I) ENHANCE AWARENESS OF, ACCESS TO, AND EFFECTIVE USE OF ASSISTIVE TECHNOLOGY, ACCESSIBLE INFORMATION TECHNOLOGY, AND ENVIRONMENTAL ADAPTATIONS THAT ALLOW INDIVIDUALS WITH DISABILITIES TO

1 PARTICIPATE IN EMPLOYMENT, EDUCATION, HOUSING, TRANSPORTATION, PUBLIC
2 SAFETY, RECREATION, HEALTH CARE, AND OTHER ASPECTS OF DAILY LIFE;

3 (II) SUPPORT TRAINING, TECHNICAL ASSISTANCE, AND
4 REASONABLE ACCOMMODATIONS THAT PROMOTE THE HIRING AND RETENTION OF
5 INDIVIDUALS WITH DISABILITIES IN PRIVATE AND PUBLIC SECTOR EMPLOYMENT;
6 AND

7 (III) CREATE OPPORTUNITIES FOR INTEGRATED, AFFORDABLE,
8 AND ACCESSIBLE HOUSING FOR INDIVIDUALS WITH DISABILITIES TO LIVE IN THE
9 COMMUNITIES OF THEIR CHOICE.

10 (c) (1) THE DEPARTMENT SHALL:

11 (I) DEVELOP POLICIES FOR OPERATING EACH AFFILIATED
12 FOUNDATION THAT THE DEPARTMENT ESTABLISHES, INCLUDING THE AFFILIATED
13 FOUNDATION NAME; AND

14 (II) SUBMIT EACH POLICY DEVELOPED TO THE ATTORNEY
15 GENERAL AND THE STATE ETHICS COMMISSION FOR REVIEW AND, IF
16 APPROPRIATE, APPROVAL IN ACCORDANCE WITH PARAGRAPHS (2) AND (3) OF THIS
17 SUBSECTION.

18 (2) THE ATTORNEY GENERAL SHALL:

19 (I) REVIEW THE POLICIES THE DEPARTMENT DEVELOPS
20 UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR FORM AND LEGAL SUFFICIENCY;
21 AND

22 (II) IF APPROPRIATE, APPROVE THE POLICIES FOR USE IN
23 GOVERNING THE DEPARTMENT'S RELATIONSHIP WITH THE AFFILIATED
24 FOUNDATION.

25 (3) THE STATE ETHICS COMMISSION SHALL:

26 (I) REVIEW THE POLICIES THE DEPARTMENT DEVELOPS
27 UNDER PARAGRAPH (1) OF THIS SUBSECTION THAT PERTAIN TO CONFLICTS OF
28 INTEREST; AND

29 (II) IF APPROPRIATE, APPROVE THE POLICIES FOR USE IN
30 GOVERNING AN OFFICIAL OR EMPLOYEE OF THE DEPARTMENT WHO ALSO SERVES
31 AS A DIRECTOR OR AN OFFICIAL OF THE AFFILIATED FOUNDATION.

1 (D) (1) AN AFFILIATED FOUNDATION MAY SOLICIT AND RECEIVE
2 CONTRIBUTIONS FROM BUSINESSES, GOVERNMENTAL ENTITIES, NONPROFIT
3 ORGANIZATIONS, AND INDIVIDUALS INTERESTED IN THE PROMOTION OF PROGRAMS
4 AND UNITS ADMINISTERED OR SUPPORTED BY THE DEPARTMENT.

5 (2) IN ACCORDANCE WITH § 7-113 OF THIS SUBTITLE AUTHORIZING
6 THE SECRETARY TO RECEIVE FUNDS FROM ANY PUBLIC OR PRIVATE SOURCE TO
7 CARRY OUT THE POWERS AND DUTIES OF THE DEPARTMENT, THE SECRETARY
8 SHALL RECEIVE AND DEPOSIT FUNDS FROM AN AFFILIATED FOUNDATION INTO A
9 SEPARATE SPECIAL FUND.

10 (E) (1) AN AFFILIATED FOUNDATION ESTABLISHED UNDER THIS
11 SECTION MAY NOT BE CONSIDERED AN AGENCY OR INSTRUMENTALITY OF THE
12 STATE OR A UNIT OF THE EXECUTIVE BRANCH FOR ANY PURPOSE.

13 (2) A FINANCIAL OBLIGATION OR LIABILITY OF AN AFFILIATED
14 FOUNDATION ESTABLISHED UNDER THIS SECTION MAY NOT BE CONSIDERED A DEBT
15 OR AN OBLIGATION OF THE STATE OR THE DEPARTMENT.

16 (F) (1) NOTWITHSTANDING §§ 5-501 THROUGH 5-504 OF THE GENERAL
17 PROVISIONS ARTICLE, AN OFFICIAL OR EMPLOYEE OF THE DEPARTMENT MAY
18 BECOME A DIRECTOR OR AN OFFICIAL OF AN AFFILIATED FOUNDATION
19 ESTABLISHED UNDER THIS SECTION.

20 (2) AN OFFICIAL OR EMPLOYEE OF THE DEPARTMENT WHO SERVES
21 AS A DIRECTOR OR AN OFFICIAL OF AN AFFILIATED FOUNDATION ESTABLISHED
22 UNDER THIS SECTION:

23 (I) MAY NOT BE COMPENSATED, DIRECTLY OR INDIRECTLY, BY
24 THE AFFILIATED FOUNDATION; AND

25 (II) MAY BE REIMBURSED FOR BONA FIDE EXPENSES INCURRED
26 IN THE PERFORMANCE OF ACTIVITIES UNDERTAKEN ON BEHALF OF THE
27 AFFILIATED FOUNDATION AS AUTHORIZED BY THE DEPARTMENT AND THE BOARD
28 OF DIRECTORS OF THE AFFILIATED FOUNDATION.

29 (3) (I) THE DEPARTMENT SHALL NOTIFY THE STATE ETHICS
30 COMMISSION IN WRITING WHENEVER THE DEPARTMENT ALLOWS AN OFFICIAL OR
31 EMPLOYEE OF THE DEPARTMENT TO SERVE AS A DIRECTOR OR AN OFFICIAL OF AN
32 AFFILIATED FOUNDATION.

33 (II) WITHIN 30 DAYS AFTER RECEIPT OF THE NOTICE UNDER
34 SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE STATE ETHICS COMMISSION SHALL

1 NOTIFY THE DEPARTMENT OF ANY OBJECTIONS OR CONCERNS PERTAINING TO THE
2 JOINT SERVICE IDENTIFIED IN THE NOTICE.

3 (III) ON RECEIPT OF A NOTICE FROM THE STATE ETHICS
4 COMMISSION UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DEPARTMENT
5 SHALL REEXAMINE THE JOINT SERVICE IDENTIFIED IN THE NOTICE.

6 (4) ON OR BEFORE SEPTEMBER 1 EACH YEAR, THE DEPARTMENT
7 SHALL REPORT TO THE GOVERNOR, THE LEGISLATIVE POLICY COMMITTEE OF THE
8 GENERAL ASSEMBLY IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT
9 ARTICLE, AND THE STATE ETHICS COMMISSION ON:

10 (I) THE NAMES OF THE OFFICIALS AND EMPLOYEES SERVING
11 AS A DIRECTOR OR AN OFFICIAL OF AN AFFILIATED FOUNDATION; AND

12 (II) HOW THE POLICIES ADOPTED UNDER SUBSECTION (C) OF
13 THIS SECTION HAVE BEEN IMPLEMENTED IN THE PRECEDING CALENDAR YEAR.

14 (G) (1) EACH YEAR, THE DEPARTMENT SHALL HIRE AN INDEPENDENT
15 CERTIFIED PUBLIC ACCOUNTANT TO:

16 (I) AUDIT AN AFFILIATED FOUNDATION ESTABLISHED UNDER
17 THIS SECTION; AND

18 (II) SUBMIT TO THE DEPARTMENT A REPORT ON THE AUDIT OF
19 THE AFFILIATED FOUNDATION.

20 (2) NOTWITHSTANDING SUBSECTION (D) OF THIS SECTION, IF AN
21 AFFILIATED FOUNDATION HAS NOT BEEN AUDITED WITHIN THE PAST YEAR:

22 (I) THE AFFILIATED FOUNDATION MAY NOT SOLICIT AND
23 RECEIVE CONTRIBUTIONS; AND

24 (II) THE DEPARTMENT MAY NOT ACCEPT CONTRIBUTIONS
25 FROM THE AFFILIATED FOUNDATION.

26 (H) CONTRIBUTIONS ACCEPTED BY THE DEPARTMENT FROM AN
27 AFFILIATED FOUNDATION ESTABLISHED UNDER THIS SECTION ARE SUPPLEMENTAL
28 TO AND ARE NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE
29 WOULD BE APPROPRIATED IN THE ANNUAL BUDGET BILL OR CAPITAL BUDGET BILL
30 FOR THE DEPARTMENT.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2026.