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HB 1359: Facilities – Disabilities and Juveniles –  
Community Relations Plans

House Health and Government Operations Committee  
March 1, 2024

POSITION: **OPPOSE**

The Arc Maryland is the largest statewide advocacy organization dedicated to advancing the rights of individuals with intellectual and developmental disabilities and providing training, outreach, and service protections for individuals and their families. We oppose HB 1359 as we firmly believe it violates Maryland Statute (Health General Article 7-603) and that it likely violates the Federal Fair Housing Amendments Act.

**Maryland law states: (1) To avoid discrimination in housing and to afford a natural, residential setting, a group home or an alternative living unit for individuals with developmental disability:**

- (i) Is deemed conclusively a single-family dwelling;**
- (ii) Is permitted to locate in all residential zones; and**
- (iii) May not be subject to any special exception, conditional use permit, or procedure that differs from that required for a single-family dwelling.**

**The federal Fair Housing Amendments Act (“FHAA”) prohibits discrimination “against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a handicap...” 42 U.S.C.A §3604(f)(2).** Provisions of this bill that would require community notification through the requirement of community relations plan would impose a requirement on a small group home that is not imposed on any similar home with related or unrelated people living in it. This is discriminatory as it is only directed at people who have disabilities.

The local chapters of The Arc operate around the state of Maryland to provide supports to over 5,000 people with intellectual and developmental disabilities. In addition to providing employment supports, family supports, and personal supports to people living in family homes, The Arc organizations also provide supports to people living in small group homes operated by the organizations. The number of people who live in a home could vary, and are typically 1 to 4 individuals. Our community living support services enable people with disabilities to live the lives they want in **communities they choose**. Most of The Arc chapters around the state have been in operation for between 60 and 75 years, supporting people with intellectual and developmental disabilities to be in and of their communities. We provide vital services and supports and the people with disabilities supported by The Arc are friends, employees, bosses, students, and valued neighbors.

For more information, please contact Ande Kolp, Executive Director, The Arc Maryland [akolp@tharcmd.org](mailto:akolp@tharcmd.org)  
*create a world where children and adults with intellectual and developmental disabilities have and enjoy equal rights and opportunities.*