



Maryland Developmental Disabilities Council

CREATING CHANGE • IMPROVING LIVES

House Health and Government Operations Committee

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

March 1, 2024

Position: Oppose

The Maryland Developmental Disabilities Council (Council) creates change to make it possible for people with developmental disabilities to live the lives they want with the support they need. The Council is led by a diverse group of people with developmental disabilities and family members of people with developmental disabilities. Many of our Council members receive supports and services licensed by the Developmental Disabilities Administration (DDA). Our Council envisions Maryland as a place where people with and without disabilities live, learn, work, and play together. **HB 1359 is a step in the wrong direction, and will set people with disabilities back in terms of their ability to live in their communities alongside people without disabilities.**

WHAT does this bill do?

- Requires Community Relations Plans for State Residential Centers, residential homes licensed by DDA, and for the Department of Juvenile Services facilities.

Over 8,500 people with developmental disabilities receive residential services by DD community providers throughout Maryland. The goal of these services is to help people develop and keep skills needed for everyday life, including spending time with others. As such, even if the home is owned or leased by a DD community provider, it is located somewhere so people with disabilities are not isolated from their non-disabled peers. State and federal law sets out requirements so people with disabilities live in their communities and prohibit discrimination.

Specifically, state law says “to avoid discrimination in housing and to afford a natural residential setting, a group home or alternative living unit for people with development disability...**may not be subject to any special exception, conditional use permit, or procedure that differs from that required for a single-family dwelling.**” Health-General §7-603 (b)(1)(iii).

- **HB 1359 directly conflicts with this longstanding protection in statute by requiring a different procedure for residential settings for people with developmental disability.**

In addition, the federal Fair Housing Act (FHA) says it is unlawful to discriminate against any person in the “terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services of facilities in connection with such dwelling because of the handicap of the person.” 42 U.S.C. §3604(f)(2).

- **HB 1359’s requirement that group homes and alternative living units create and revise community relations plans very likely violates the FHA.**

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