

HOUSE BILL 225

P1

(PRE-FILED)

4r0398
CF SB 309

By: **Chair, Environment and Transportation Committee (By Request –
Departmental – Planning)**

Requested: September 17, 2023

Introduced and read first time: January 10, 2024

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Smart Growth Subcabinet – Membership and Duties**

3 FOR the purpose of altering the membership and duties of the Smart Growth Subcabinet;
4 and generally relating to the Smart Growth Subcabinet.

5 BY repealing and reenacting, without amendments,
6 Article – State Government
7 Section 9–1401
8 Annotated Code of Maryland
9 (2021 Replacement Volume and 2023 Supplement)

10 BY repealing and reenacting, with amendments,
11 Article – State Government
12 Section 9–1406
13 Annotated Code of Maryland
14 (2021 Replacement Volume and 2023 Supplement)

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

17 **Article – State Government**

18 9–1401.

19 (a) In this subtitle the following words have the meanings indicated.

20 (b) “Office” means the Office of Smart Growth.

21 (c) “Special Secretary” means the Special Secretary of Smart Growth.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (d) "Subcabinet" means the Smart Growth Subcabinet.

2 9-1406.

3 (a) There is a Smart Growth Subcabinet.

4 (b) The Subcabinet consists of:

5 (1) [the Special Secretary;

6 (2)] the Secretary of Agriculture;

7 [(3)] **(2)** the Secretary of Budget and Management;

8 [(4)] **(3)** the Secretary of Commerce;

9 **(4) THE SECRETARY OF EMERGENCY MANAGEMENT;**

10 (5) the Secretary of the Environment;

11 (6) the Secretary of General Services;

12 (7) the Secretary of Higher Education;

13 (8) the Secretary of Housing and Community Development;

14 (9) the Assistant Secretary of the Office of Neighborhood Revitalization;

15 (10) the Secretary of Natural Resources;

16 (11) the Secretary of Planning;

17 (12) the Secretary of Transportation;

18 (13) a representative of the Governor's office;

19 (14) the Secretary of Health;

20 (15) the Secretary of Labor; and

21 (16) the Director of the Maryland Energy Administration.

22 (c) The Executive Director of the National Center for Smart Growth Education
23 and Research at the University of Maryland, College Park Campus shall serve as an ex
24 officio member of the Subcabinet.

1 (d) (1) The [Special] Secretary **OF PLANNING** shall chair the Subcabinet and
2 shall be responsible for the oversight, direction, and accountability of the work of the
3 Subcabinet.

4 (2) The Secretary of [Planning] **HOUSING AND COMMUNITY**
5 **DEVELOPMENT** shall be the vice chair of the Subcabinet.

6 (e) (1) The Office shall provide the primary staff support for the Subcabinet.

7 (2) The [Special Secretary and the] Secretary of Planning may call upon
8 any of the Subcabinet members to provide additional staff assistance as needed.

9 (f) The [Special Secretary and the] Secretary of Planning may establish
10 subcommittees to carry out the work of the Subcabinet.

11 (g) The Subcabinet shall meet regularly at such times and places as it determines.

12 (h) (1) The Subcabinet shall:

13 (i) provide a forum for discussion of interdepartmental issues
14 relating to activities that affect growth, development, **EQUITY, RESILIENCY**, neighborhood
15 conservation, and resource management;

16 (ii) work together using all available resources to promote the
17 understanding of smart growth;

18 (iii) work together to create, enhance, support, and revitalize
19 **EQUITABLE AND** sustainable communities across the State;

20 (iv) meet at least biannually with county and municipal elected
21 leaders and planning officials to discuss local government issues relating to activities that
22 affect smart growth, development, neighborhood conservation, and resource management;

23 (v) subject to paragraph (2) of this subsection, make
24 recommendations to:

25 1. the Department of Commerce in accordance with § 5–1304
26 of the Economic Development Article;

27 2. the Department of Housing and Community Development
28 in accordance with § 6–206 of the Housing and Community Development Article;

29 3. the Department of Planning in accordance with § 5A–303
30 of the State Finance and Procurement Article; and

31 4. the Department of Transportation in accordance with §

1 7–101 of the Transportation Article;

2 (vi) in coordination with State agencies, evaluate and report
3 annually to the Governor and, in accordance with § 2–1257 of this article, to the General
4 Assembly on the implementation of the State’s smart growth policy; and

5 (vii) perform other duties assigned by the Governor.

6 (2) The failure of the Subcabinet to make a recommendation under
7 paragraph (1)(v) of this subsection may not be construed as prohibiting a department to act
8 in accordance with the department’s authority under State law.

9 (i) The annual report required in subsection (h)(1) of this section shall include:

10 (1) a description of the projects, programs, and costs of activities located in
11 priority funding areas;

12 (2) a description of projects, programs, and costs of activities funded under
13 the exceptions allowed in § 5–7B–06 of the State Finance and Procurement Article;

14 (3) projects submitted to the Board of Public Works for funding outside
15 priority funding areas under the extraordinary circumstances exception in accordance with
16 § 5–7B–05 of the State Finance and Procurement Article and the impact of these projects
17 upon the State’s smart growth policy;

18 (4) a list of programs and policies reviewed and changed to ensure
19 compliance with the State’s smart growth policy; and

20 (5) a list of projects or programs approved and funded under Chapter 759,
21 § 2 of the Acts of 1997.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2024.