

# SENATE BILL 866

J3, L1, J1

4lr2594

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By: **Senator Ready**

Introduced and read first time: February 2, 2024

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Health – Small Halfway Houses and Small Private Group Homes – County**  
3 **Zoning**

4 FOR the purpose of authorizing a county to deem conclusively that a small halfway house  
5 or small private group home is a single-family dwelling or a multifamily dwelling  
6 for purposes of zoning; and generally relating to the regulation of halfway houses  
7 and private group homes.

8 BY repealing and reenacting, without amendments,  
9 Article – Health – General  
10 Section 8–101(a), (m), (n), and (q) and 10–514  
11 Annotated Code of Maryland  
12 (2023 Replacement Volume)

13 BY repealing and reenacting, with amendments,  
14 Article – Health – General  
15 Section 8–406 and 10–518  
16 Annotated Code of Maryland  
17 (2023 Replacement Volume)

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

20 **Article – Health – General**

21 8–101.

22 (a) In this title the following words have the meanings indicated.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (m) “Halfway house” means a clinically managed, low intensity residential  
2 treatment service for individuals with substance-related disorders who are capable of  
3 self-care but are not ready to return to independent living.

4 (n) “Large halfway house” means a halfway house that admits at least 9 but not  
5 more than 16 individuals.

6 (q) “Small halfway house” means a halfway house that admits at least 4 but not  
7 more than 8 individuals.

8 8-406.

9 (a) **[A] FOR PURPOSES OF ZONING, A COUNTY MAY DEEM CONCLUSIVELY**  
10 **THAT A small halfway house IS:**

11 (1) **[Is deemed conclusively a] A single-family dwelling [for purposes of**  
12 **zoning]; [and] OR**

13 (2) **[Is permitted to locate in all residential zones] A MULTIFAMILY**  
14 **DWELLING.**

15 (b) A large halfway house is deemed conclusively a multifamily dwelling and is  
16 permitted to locate in zones of similar density.

17 (c) A halfway house is not subject to any special exception, conditional use permit,  
18 or procedure that differs from that required for a single-family dwelling or a multifamily  
19 dwelling of similar density in the same zone.

20 (d) A general zoning ordinance that conflicts with the provisions of this section is  
21 superseded by this section, to the extent of the conflict.

22 10-514.

23 (a) In Part II of this subtitle the following words have the meanings indicated.

24 (b) “Large private group home” means a private group home that admits at least  
25 10 but not more than 16 individuals.

26 (c) “License” means a license issued by the Secretary to operate a private group  
27 home.

28 (d) (1) “Private group home” means a residence in which individuals who have  
29 been or are under treatment for a mental disorder may be provided care or treatment in a  
30 homelike environment.

31 (2) “Private group home” does not include:

- 1 (i) Any facility that is owned by or leased to this State or any public  
2 agency;
- 3 (ii) Any facility that is regulated by the Department of Juvenile  
4 Services;
- 5 (iii) Any facility that is regulated by the Developmental Disabilities  
6 Administration;
- 7 (iv) Any facility that is organized wholly or partly to make a profit;  
8 or
- 9 (v) A foster home that is the domicile of the foster parent.

10 (e) "Small private group home" means a private group home that admits at least  
11 4 but not more than 9 individuals.

12 10–518.

13 (a) **[A] FOR PURPOSES OF ZONING, A COUNTY MAY DEEM CONCLUSIVELY**  
14 **THAT A** small private group home **IS:**

15 (1) **[Is deemed conclusively a] A** single–family dwelling; **[and] OR**

16 (2) **[Is permitted to locate in all residential zones] A MULTIFAMILY**  
17 **DWELLING.**

18 (b) A large private group home is deemed conclusively a multifamily dwelling and  
19 is permitted to locate in zones of similar density.

20 (c) A private group home is not subject to any special exception, conditional use  
21 permit, or procedure that differs from that required for a single–family dwelling or a  
22 multifamily dwelling of similar density in the same zone.

23 (d) A general zoning ordinance that conflicts with the provisions of this section is  
24 superseded by this section to the extent of the conflict.

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