

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE
Revised

Senate Bill 403 (Senators Forehand and Ruben)

Judicial Proceedings

Homeowners Associations - Family Day Care Homes

This bill provides that a homeowners association may not prohibit the use of a residence as a family day care home or no-impact home-based business in its declaration, bylaws, or recorded covenants and restrictions until the lot owners, other than the developer, have 90% of the votes in the homeowners association. The bill also specifies that such a prohibition cannot be enforced until a simple majority of the total eligible voters in the homeowners association, not including the developer, approve of the provision under the voting procedures contained in the declaration or bylaws of the homeowners association.

In addition, the bill repeals the provision of law that permits a homeowners association to regulate the number or percentage of family day care homes operating in the homeowners association.

Fiscal Summary

State Effect: None. This bill does not directly affect governmental operations or finances.

Local Effect: None.

Small Business Effect: Potential meaningful. This bill could increase the number of family day care homes and no-impact home-based businesses that are operated within the home.

Information Source(s): Department of Legislative Services, Department of Human Resources

Fiscal Note History: First Reader - February 16, 1999
ncs/jr Revised - Enrolled Bill - April 29, 1999

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