

HOUSE BILL 1115

Unofficial Copy  
J3

2004 Regular Session  
4r2567  
CF 4r2919

---

By: **Delegates Murray, Anderson, Goldwater, Harrison, Haynes, Kirk,  
Madaleno, Marriott, Montgomery, Nathan-Pulliam, Oaks, Taylor, and  
Vaughn**

Introduced and read first time: February 13, 2004  
Assigned to: Health and Government Operations

---

A BILL ENTITLED

1 AN ACT concerning

2 **Alcohol and Drug Abuse Administration - Halfway Houses - Zoning**  
3 **Classification**

4 FOR the purpose of providing that certain halfway houses are considered a certain  
5 type of dwelling for certain purposes; authorizing certain halfway houses to be  
6 located in certain residential zones; prohibiting certain halfway houses from  
7 being subject to certain exceptions, permits, or procedures; providing that this  
8 Act supersedes certain ordinances, rules, or regulations; and generally relating  
9 to the Alcohol and Drug Abuse Administration and halfway houses.

10 BY adding to  
11 Article - Health - General  
12 Section 8-406  
13 Annotated Code of Maryland  
14 (2000 Replacement Volume and 2003 Supplement)

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

17 **Article - Health - General**

18 8-406.

19 (A) THIS SECTION APPLIES ONLY TO HALFWAY HOUSES REGULATED BY THE  
20 ADMINISTRATION.

21 (B) A HALFWAY HOUSE THAT ADMITS AT LEAST FOUR BUT NOT MORE THAN  
22 EIGHT INDIVIDUALS IS:

- 23 (1) DEEMED CONCLUSIVELY TO BE A SINGLE-FAMILY DWELLING; AND
- 24 (2) PERMITTED TO BE LOCATED IN ALL RESIDENTIAL ZONES.

1 (C) A HALFWAY HOUSE THAT ADMITS AT LEAST NINE BUT NOT MORE THAN  
2 SIXTEEN INDIVIDUALS IS:

3 (1) DEEMED CONCLUSIVELY A TO BE A MULTIFAMILY DWELLING; AND

4 (2) PERMITTED TO BE LOCATED IN ZONES OF SIMILAR DENSITY.

5 (D) A HALFWAY HOUSE MAY NOT BE SUBJECT TO ANY SPECIAL EXCEPTION,  
6 CONDITIONAL USE PERMIT, OR PROCEDURE THAT DIFFERS FROM THAT REQUIRED  
7 FOR A SINGLE-FAMILY DWELLING OR A MULTIFAMILY DWELLING OF SIMILAR  
8 DENSITY IN THE SAME ZONE.

9 (E) A GENERAL ZONING ORDINANCE, RULE, OR REGULATION OF ANY  
10 POLITICAL SUBDIVISION THAT CONFLICTS WITH THE PROVISIONS OF THIS SECTION  
11 OR ANY RULE OR REGULATION THAT CARRIES OUT THE PURPOSES OF THIS SECTION  
12 IS SUPERSEDED BY THIS SECTION TO THE EXTENT OF ANY CONFLICT.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
14 effect October 1, 2004.