

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE

House Bill 443 (Delegate Montgomery, *et al.*)
Environmental Matters

Real Property - Restrictions - Clotheslines or Other Laundry Drying Devices

This bill prohibits any contract, deed, covenant, restriction, declaration, rule, bylaw, lease, rental agreement, or other similar document from banning the use of clotheslines or other laundry drying devices on the property of a homeowner or tenant. Reasonable restrictions relating to the timing, placement, and the manner of use are permitted. The bill does not apply to a residential property with five or more dwelling units that is used exclusively for rental purposes.

Fiscal Summary

State Effect: If the Consumer Protection Division of the Office of the Attorney General receives fewer than 50 complaints per year stemming from the bill, the additional workload can be handled with existing resources.

Local Effect: The bill does not directly affect local finances or operations.

Small Business Effect: None.

Analysis

Bill Summary: Prior to adopting any rules or regulations relating to the timing, placement, and manner of use of a clothesline or other drying device, the governing body of a condominium, homeowners association, or housing cooperative, or a landlord must hold an open meeting to allow affected homeowners and tenants to comment on the proposed rules. Advance notice of the time and the place of the meeting must be published in a community newsletter, on the community bulletin board, by the means

provided in the governing document or the lease, or by any other means reasonably calculated to inform the affected homeowners and tenants.

The bill applies retroactively.

Current Law: State law does not limit the authority of common ownership communities or landlords to limit by contract, deed, or other instrument the installation or use of clotheslines.

Background: As shown in **Exhibit 1**, the U.S. Energy Information Administration estimates that U.S. households owned 61 million electric clothes dryers in 2001, which consumed 66 billion kWh and accounted for 5.8% of total national energy consumption.

Exhibit 1
Electricity Consumption by End Use in U.S. Households in 2001

	U.S. Households (in Millions)	Total Energy Consumption (Billion kWh)	Percent of Total U.S. Household Energy Consumption
Clothes Washers	84.1	10.1	0.9%
Clothes Dryers	61.1	65.9	5.8%

Source: U.S. Energy Information Administration

A goal of the Governor's "EmPOWER Maryland" initiative is to reduce State energy consumption 15% by 2015. As part of this effort, the Maryland Energy Administration encourages Maryland residents to adopt cost-effective energy savings measures in their homes. Colorado, Florida, Hawaii, and Utah have enacted various laws protecting the rights of homeowners to use clotheslines, and five other states are considering similar legislation.

Additional Information

Prior Introductions: None.

Cross File: SB 559 is designated as a cross file; however, it is not identical.

Information Source(s): U.S. Energy Information Administration, Maryland Energy Administration, Office of the Attorney General (Consumer Protection Division), Judiciary (Administrative Office of the Courts), Secretary of State, Department of Legislative Services

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mcp/kdm

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