Department of Legislative Services
2010 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 224 (Senator King, *et al.*)
Judicial Proceedings Environmental Matters

Real Property - Installation and Use of Clotheslines on Residential Property

This bill prohibits any contract, deed, covenant, lease, or other similar residential governing document from banning the installation or use of clotheslines on the property of a homeowner or tenant. Reasonable restrictions relating to the timing, placement, and the manner of use are permitted.

The bill applies to any single-family residential dwelling or townhome, including condominiums, homeowners associations, and housing cooperatives. The bill's provisions do not apply, however, to a property with more than four dwelling units or to a restriction concerning the installation or use of clotheslines on specified historic properties.

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 restrictions relating to the installation or use of a clothesline, a landlord or the governing body of a condominium, homeowners association, or housing cooperative 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 a 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.

However, reasonable restrictions relating to aesthetic considerations and placement in the event of emergencies are permitted.

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

Background: According to the U.S. Department of Energy, appliances account for 17% of the average household's energy consumption, with refrigerators, clothes washers, and clothes dryers among the highest users of electricity. As of October 2009, State residents paid an average of 14.9 cents per kilowatt hour of electricity (kWh). Assuming a typical (non-EnergyStar certified) clothes dryer uses approximately 800 kWh of energy per year, the average Maryland household pays $112 in annual utility costs to operate a clothes dryer.

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, Maine, Utah, and Vermont have enacted various laws protecting the rights of homeowners to use clotheslines, and three other states (North Carolina, Oregon, and Virginia) are considering similar legislation.

Additional Information

Prior Introductions: Similar bills were introduced during the 2009 session. SB 559 received an unfavorable report from the Senate Judicial Proceedings Committee. Its cross file, HB 443, received an unfavorable report from the House Environmental Matters Committee.

Cross File: Although HB 763 is designated as a cross file, it is no longer identical; instead, this bill is now identical to HB 51.

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

Fiscal Note History:	First Reader - February 1, 2010
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