

SENATE BILL 429

O3, J3

2lr1020

By: **Senators Young, Garagiola, Rosapepe, and Shank**

Introduced and read first time: February 2, 2012

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Developmental Disabilities – Group Homes and Alternative Living Units –**
3 **Dispersion**

4 FOR the purpose of stating the intent of the General Assembly with regard to the
5 dispersion of group homes and alternative living units; requiring a group home
6 or an alternative living unit to maintain a certain distance from certain
7 facilities; limiting the number of group homes or alternative living units in a
8 certain area based on population size; exempting group homes or alternative
9 living units operational before a certain date from the requirements of this Act;
10 and generally relating to group homes and alternative living units.

11 BY adding to

12 Article – Health – General

13 Section 7–603.1

14 Annotated Code of Maryland

15 (2009 Replacement Volume and 2011 Supplement)

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

18 **Article – Health – General**

19 **7–603.1.**

20 **(A) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT GROUP HOMES**
21 **AND ALTERNATIVE LIVING UNITS BE DISPERSED THROUGHOUT THE STATE IN**
22 **ORDER TO INTEGRATE INDIVIDUALS WITH DISABILITIES INTO THE COMMUNITY**
23 **AND TO AVOID THE CREATION OF AN INSTITUTIONAL ENVIRONMENT.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
2 **SUBSECTION, THIS SECTION APPLIES TO PUBLIC GROUP HOMES, PRIVATE**
3 **GROUP HOMES, AND ALTERNATIVE LIVING UNITS.**

4 **(2) THIS SECTION DOES NOT APPLY TO PUBLIC GROUP HOMES,**
5 **PRIVATE GROUP HOMES, OR ALTERNATIVE LIVING UNITS OPERATIONAL**
6 **BEFORE JANUARY 1, 2013.**

7 **(C) (1) WHEN LOCATED IN A BUSINESS DISTRICT, A GROUP HOME OR**
8 **AN ALTERNATIVE LIVING UNIT SHALL BE A MINIMUM DISTANCE OF 600 FEET**
9 **FROM ANY:**

10 **(I) OTHER GROUP HOME OR ALTERNATIVE LIVING UNIT;**

11 **(II) EMERGENCY HOUSING FACILITY;**

12 **(III) SHELTER FOR BATTERED INDIVIDUALS;**

13 **(IV) OVERNIGHT SHELTER; OR**

14 **(V) TRANSITIONAL HOUSING FACILITY.**

15 **(2) WHEN LOCATED IN A DISTRICT OTHER THAN A BUSINESS**
16 **DISTRICT, A GROUP HOME OR AN ALTERNATIVE LIVING UNIT SHALL BE A**
17 **MINIMUM DISTANCE OF 1,320 FEET FROM ANY:**

18 **(I) OTHER GROUP HOME OR ALTERNATIVE LIVING UNIT;**

19 **(II) EMERGENCY HOUSING FACILITY;**

20 **(III) SHELTER FOR BATTERED INDIVIDUALS;**

21 **(IV) OVERNIGHT SHELTER; OR**

22 **(V) TRANSITIONAL HOUSING FACILITY.**

23 **(D) GROUP HOMES OR ALTERNATIVE LIVING UNITS SHALL BE LIMITED**
24 **TO ONE GROUP HOME OR ALTERNATIVE LIVING UNIT PER 1,000 RESIDENTS IN A**
25 **MUNICIPALITY OR COUNTY.**

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2012.