

Department of Legislative Services

Maryland General Assembly

2023 Session

FISCAL AND POLICY NOTE

First Reader

House Bill 1195 (Delegate Wu, *et al.*)

(Delegate Wu, *et al.*)

Environment and Transportation and Economic Matters

Development Transparency Act of 2023

This bill requires an entity that seeks any waiver or exemption from, or authorization under, any zoning regulation, zoning map amendment, conditional use permit, final development plan, or other land use authorization to publicly disclose the name of each individual that owns the entity, including any individual that owns an affiliated entity or entities. “Entity” includes a corporation, a limited liability company, a partnership, a limited liability partnership, a nongovernmental joint venture, a property owner, and a trust.

Fiscal Summary

State Effect: The bill is not expected to directly affect State finances.

Local Effect: The bill is not expected to directly affect local government finances.

Small Business Effect: Potential meaningful.

Analysis

Current Law: State law specifies that it is the policy of the State that (1) the orderly development and use of land and structures requires comprehensive regulation through implementation of planning and zoning controls and (2) planning and zoning controls must be implemented by local government. Planning and zoning authority granted to local governments includes authorizations to regulate various aspects of development and land use. Certain State law provisions granting that authority require or authorize procedures, such as public notice and a public hearing, for the adoption and modification of zoning

regulations and approval of land use authorizations, but do not directly address disclosure of information by applicants for land use authorizations.

Small Business Effect: The bill may have a meaningful impact on small businesses to the extent that publicly disclosing the name of each individual that owns the business, including any individual that owns an affiliated entity or entities, may be a barrier to seeking a land use authorization or otherwise negatively impact a given small business seeking a land use authorization.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Baltimore City; Allegany, Harford, Montgomery, and Wicomico counties; cities of College Park and Frostburg; Judiciary (Administrative Office of the Courts); Maryland Department of Planning; State Department of Assessments and Taxation; Department of Legislative Services

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