

HOUSE BILL 38

F1, C9

5lr1302

(PRE-FILED)

By: **Delegate Moon**

Requested: October 22, 2024

Introduced and read first time: January 8, 2025

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **School Construction and Housing – School Zones and Adequate Public Facilities**
3 **Ordinances**

4 FOR the purpose of requiring each county board of education to submit a certain report to
5 the Department of Planning and the Interagency Commission on School
6 Construction each year; repealing the authorization of the Interagency Commission
7 on School Construction to make an enrollment deduction under certain
8 circumstances; prohibiting a county's adequate public facilities ordinance from
9 restricting housing developments after a certain period of time; and generally
10 relating to school zones, school construction, and adequate public facilities
11 ordinances.

12 BY adding to

13 Article – Education

14 Section 4–147

15 Annotated Code of Maryland

16 (2022 Replacement Volume and 2024 Supplement)

17 BY repealing

18 Article – Education

19 Section 5–303(l)

20 Annotated Code of Maryland

21 (2022 Replacement Volume and 2024 Supplement)

22 BY adding to

23 Article – Land Use

24 Section 7–106

25 Annotated Code of Maryland

26 (2012 Volume and 2024 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Education**

4 **4–147.**

5 (A) ON OR BEFORE JULY 1, 2025, AND EACH JULY 1 THEREAFTER, EACH
6 COUNTY BOARD SHALL SUBMIT A STUDENT RESIDENCY AND SCHOOL ZONES REPORT
7 TO THE DEPARTMENT OF PLANNING AND THE INTERAGENCY COMMISSION ON
8 SCHOOL CONSTRUCTION.

9 (B) (1) THE STUDENT RESIDENCY AND SCHOOL ZONES REPORT SHALL
10 INCLUDE:

11 (i) THE SCHOOL ZONE BOUNDARIES AND ATTENDANCE AREA
12 MAP; AND

13 (ii) THE LOCATIONS OF EACH STUDENT’S RESIDENCE.

14 (2) THE REPORT MAY NOT INCLUDE ANY PERSONAL IDENTIFYING
15 INFORMATION OF ANY STUDENT.

16 (C) THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION SHALL
17 ADOPT REGULATIONS ESTABLISHING FORMATTING AND SUBMISSION
18 REQUIREMENTS FOR THE STUDENT RESIDENCY AND SCHOOL ZONES REPORT.

19 **5–303.**

20 [(l) The Interagency Commission may make an eligible enrollment deduction for
21 an adjacent school when calculating the maximum State construction allocation for a
22 project approved for State funding under subsection (d)(3)(ii) of this section only if the sum
23 of available seat count in all adjacent schools is 15% or more of the project school’s
24 enrollment.]

25 **Article – Land Use**

26 **7–106.**

27 A COUNTY’S ADEQUATE PUBLIC FACILITIES ORDINANCE MAY NOT RESTRICT
28 HOUSING DEVELOPMENT FOR MORE THAN 4 YEARS AFTER ENACTMENT.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
30 1, 2025.