

# HOUSE BILL 120

N1, C5

EMERGENCY BILL  
(PRE-FILED)

6lr1328

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By: **Delegates Fisher, Chisholm, M. Morgan, and Szeliga**

Requested: October 24, 2025

Introduced and read first time: January 14, 2026

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Moratorium on Construction of New Data Centers – Co-Location and**  
3 **Generation Contingency**

4 FOR the purpose of prohibiting a person from constructing a data center in the State;  
5 prohibiting a unit of State or local government from approving a proposal for the  
6 construction of a data center in the State; providing for the termination of this Act if  
7 the General Assembly enacts certain legislation regarding the co-location of and  
8 power generation for data centers; and generally relating to the construction of data  
9 centers in the State.

10 BY adding to  
11 Article – Real Property  
12 Section 14–134  
13 Annotated Code of Maryland  
14 (2023 Replacement Volume and 2025 Supplement)

15 BY repealing and reenacting, without amendments,  
16 Article – Tax – General  
17 Section 11–239(a)(1) and (2)  
18 Annotated Code of Maryland  
19 (2022 Replacement Volume and 2025 Supplement)

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

22 **Article – Real Property**

23 **14–134.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(A) IN THIS SECTION, “DATA CENTER” HAS THE MEANING STATED IN § 11-239 OF THE TAX – GENERAL ARTICLE.

(B) A PERSON MAY NOT CONSTRUCT A DATA CENTER IN THE STATE.

(C) A UNIT OF STATE OR LOCAL GOVERNMENT MAY NOT APPROVE A PROPOSAL FOR THE CONSTRUCTION OF A DATA CENTER IN THE STATE.

#### Article – Tax – General

11-239.

(a) (1) In this section the following words have the meanings indicated.

(2) “Data center” means a building or group of buildings used to house computer systems, computer storage equipment, and associated infrastructure that businesses or other organizations use to organize, process, store, and disseminate large amounts of data.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any construction of a data center that has received all required federal, State, and local permits before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect if the General Assembly enacts legislation that requires:

(1) all new data centers to be co-located with a new or existing:

(i) natural gas power generation facility;

(ii) nuclear power generation facility; or

(iii) small module reactor; and

(2) the construction at a co-located power generation facility of additional power generation capacity that meets or exceeds the data center’s power needs.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.