

# HOUSE BILL 548

C9, L6  
HB 503/25 – ENT

6lr1544  
CF SB 325

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By: **Delegates Behler, Acevero, Addison, Allen, Amprey, Boafó, Boyce, Edelson, Fair, Holmes, Ivey, Lewis, Moreno, Palakovich Carr, Pasteur, Qi, Ross, Ruff, Schindler, Simmons, Stewart, Vogel, and Wims**

Introduced and read first time: January 27, 2026

Assigned to: Economic Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 6, 2026

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Land Use – Permitting – Development Rights**  
3 **(Maryland Housing Certainty Act)**

4 FOR the purpose of requiring the approval of a housing development project application by  
5 a local regulatory authority or the Maryland–National Capital Park and Planning  
6 Commission to be governed only by certain laws and regulations in effect at the time  
7 of submission of a ~~substantially~~ complete application; granting the proponent of an  
8 approved housing development project certain vested rights related to use and  
9 development for a certain time period; prohibiting the collection of certain  
10 development excise taxes and development impact fees before a housing development  
11 project is completed, subject to certain exceptions; and generally relating to housing  
12 development and land use.

13 BY repealing and reenacting, with amendments,  
14 Article – Land Use  
15 Section 1–401 and 10–103  
16 Annotated Code of Maryland  
17 (2012 Volume and 2025 Supplement)

18 BY adding to  
19 Article – Land Use  
20 Section 12–101 through 12–301 to be under the new title “Title 12. Maryland  
21 Housing Certainty Act”

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland  
2 (2012 Volume and 2025 Supplement)

3 BY adding to  
4 Article – Local Government  
5 Section 20–128  
6 Annotated Code of Maryland  
7 (2013 Volume and 2025 Supplement)

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

10 **Article – Land Use**

11 1–401.

12 (a) Except as provided in this section, this division does not apply to charter  
13 counties.

14 (b) The following provisions of this division apply to a charter county:

15 (1) this subtitle, including Parts II and III  
16 (Charter county – Comprehensive plans);

17 (2) § 1–101(l), (m), and (o) (Definitions – “Plan”, “Priority funding area”,  
18 and “Sensitive area”);

19 (3) § 1–201 (Visions);

20 (4) § 1–206 (Required education);

21 (5) § 1–207 (Annual report – In general);

22 (6) § 1–208 (Annual report – Measures and indicators);

23 (7) Title 1, Subtitle 3 (Consistency);

24 (8) Title 1, Subtitle 5 (Growth Tiers);

25 (9) § 4–104(c) (Limitations – Bicycle parking);

26 (10) § 4–104(d) (Limitations – Manufactured homes and modular dwellings);

27 (11) § 4–208 (Exceptions – Maryland Accessibility Code);

28 (12) § 4–210 (Permits and variances – Solar panels);

- 1 (13) § 4–211 (Change in zoning classification – Energy generating systems);
- 2 (14) § 4–212 (Agritourism);
- 3 (15) § 4–213 (Alcohol production);
- 4 (16) § 4–214 (Agricultural alcohol production);
- 5 (17) § 4–215 (Pollinator–friendly vegetation management);
- 6 (18) § 4–216 (Limitations – Family child care homes and large family child  
7 care homes);
- 8 (19) Title 4, Subtitle 5 (Accessory Dwelling Units);
- 9 (20) § 5–102(d) (Subdivision regulations – Burial sites);
- 10 (21) § 5–104 (Major subdivision – Review);
- 11 (22) Title 7, Subtitle 1 (Development Mechanisms);
- 12 (23) Title 7, Subtitle 2 (Transfer of Development Rights);
- 13 (24) except in Montgomery County or Prince George’s County, Title 7,  
14 Subtitle 3 (Development Rights and Responsibilities Agreements);
- 15 (25) Title 7, Subtitle 4 (Inclusionary Zoning);
- 16 (26) Title 7, Subtitle 5 (Housing Expansion and Affordability);
- 17 (27) § 8–401 (Conversion of overhead facilities);
- 18 (28) for Baltimore County only, Title 9, Subtitle 3 (Single–County Provisions  
19 – Baltimore County);
- 20 (29) for Frederick County only, Title 9, Subtitle 10 (Single–County  
21 Provisions – Frederick County);
- 22 (30) for Howard County only, Title 9, Subtitle 13 (Single–County Provisions  
23 – Howard County);
- 24 (31) for Talbot County only, Title 9, Subtitle 18 (Single–County Provisions  
25 – Talbot County); [and]
- 26 (32) Title 11, Subtitle 2 (Civil Penalty); AND
- 27 **(33) TITLE 12 (MARYLAND HOUSING CERTAINTY ACT).**

1 (c) This section supersedes any inconsistent provision of Division II of this  
2 article.

3 10–103.

4 (a) Except as provided in this section, this division does not apply to Baltimore  
5 City.

6 (b) The following provisions of this division apply to Baltimore City:

7 (1) this title;

8 (2) § 1–101(m) (Definitions – “Priority funding area”);

9 (3) § 1–101(o) (Definitions – “Sensitive area”);

10 (4) § 1–201 (Visions);

11 (5) § 1–206 (Required education);

12 (6) § 1–207 (Annual report – In general);

13 (7) § 1–208 (Annual report – Measures and indicators);

14 (8) Title 1, Subtitle 3 (Consistency);

15 (9) Title 1, Subtitle 4, Parts II and III (Home Rule Counties  
16 – Comprehensive Plans; Implementation);

17 (10) § 4–104(c) (Limitations – Bicycle parking);

18 (11) § 4–104(d) (Limitations – Manufactured homes and modular dwellings);

19 (12) § 4–205 (Administrative adjustments);

20 (13) § 4–208 (Exceptions – Maryland Accessibility Code);

21 (14) § 4–210 (Permits and variances – Solar panels);

22 (15) § 4–211 (Change in zoning classification – Energy generating systems);

23 (16) § 4–215 (Pollinator–friendly vegetation management);

24 (17) § 4–216 (Limitations – Family child care homes and large family child  
25 care homes);

- 1 (18) Title 4, Subtitle 5 (Accessory Dwelling Units);
- 2 (19) § 5–102(d) (Subdivision regulations – Burial sites);
- 3 (20) Title 7, Subtitle 1 (Development Mechanisms);
- 4 (21) Title 7, Subtitle 2 (Transfer of Development Rights);
- 5 (22) Title 7, Subtitle 3 (Development Rights and Responsibilities
- 6 Agreements);
- 7 (23) Title 7, Subtitle 4 (Inclusionary Zoning);
- 8 (24) Title 7, Subtitle 5 (Housing Expansion and Affordability); [and]
- 9 (25) Title 11, Subtitle 2 (Civil Penalty); AND
- 10 (26) TITLE 12 (MARYLAND HOUSING CERTAINTY ACT).

**TITLE 12. MARYLAND HOUSING CERTAINTY ACT.**

**SUBTITLE 1. GENERAL PROVISIONS.**

**12–101.**

**(A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(B) “COMMISSION” MEANS THE MARYLAND–NATIONAL CAPITAL PARK AND PLANNING COMMISSION.**

**(C) “COMPLETE APPLICATION” MEANS A HOUSING DEVELOPMENT PROJECT APPLICATION THAT INCLUDES ALL MATERIALS AND INFORMATION REQUIRED FOR PROCESSING AND SUBSTANTIVE REVIEW AS DETERMINED BY THE COMMISSION OR THE LOCAL REGULATORY AUTHORITY, BUT MAY CONTAIN NONSUBSTANTIVE ERRORS, OMISSIONS, OR SIMILAR INCONSEQUENTIAL DEFICIENCIES.**

**(D) “HOUSING CONSTRUCTION PERMIT” MEANS A BUILDING PERMIT REQUIRED BY A LOCAL REGULATORY AUTHORITY OR THE COMMISSION TO COMMENCE OR CONTINUE THE CONSTRUCTION, SUBSTANTIAL RENOVATION, OR IMPROVEMENT OF RESIDENTIAL REAL ESTATE.**

**~~(D)~~ (E) “HOUSING DEVELOPMENT PROJECT” MEANS THE NEW CONSTRUCTION OR SUBSTANTIAL RENOVATION OF A RESIDENTIAL REAL ESTATE PROJECT.**

1       ~~(E)~~ **(F)**       “HOUSING DEVELOPMENT PROJECT APPLICATION” MEANS AN  
 2 APPLICATION FOR A BUILDING PERMIT, CERTIFICATION, AUTHORIZATION, SITE  
 3 PLAN APPROVAL, SUBDIVISION APPROVAL, CONCEPTUAL PLAN, OR ANY OTHER  
 4 DETERMINATION BY A LOCAL REGULATORY AUTHORITY OR THE COMMISSION  
 5 RELATING TO A HOUSING DEVELOPMENT PROJECT THAT HAS BEEN SUBMITTED TO  
 6 A LOCAL REGULATORY AUTHORITY OR THE COMMISSION IN COMPLIANCE WITH  
 7 APPLICABLE REQUIREMENTS.

8       ~~(F)~~ **(G)**       “LOCAL REGULATORY AUTHORITY” MEANS:

9               (1)   THE GOVERNING BODY OF A LOCAL JURISDICTION; OR

10              (2)   A DEPARTMENT, BOARD, COMMISSION, OR OTHER ENTITY OF A  
 11 LOCAL JURISDICTION RESPONSIBLE FOR PROCESSING OR APPROVING AN  
 12 APPLICATION FOR A HOUSING CONSTRUCTION PERMIT.

13       **(H)**   “PHASE” MEANS A DISCRETE, PLANNED PORTION OF A LARGER  
 14 HOUSING DEVELOPMENT PROJECT THAT:

15              (1)   IS CONSTRUCTED INDEPENDENTLY OF AND SEQUENTIALLY WITH  
 16 OTHER PORTIONS OF THE PROJECT;

17              (2)   INCLUDES 25 OR MORE HOUSING UNITS; AND

18              (3)   INCLUDES ANY IMPROVEMENTS NECESSARY TO FUNCTION  
 19 INDEPENDENTLY FROM THE OTHER PORTIONS OF THE PROJECT.

20       ~~(G)~~ **(I)**       “PHASED DEVELOPMENT PLAN” MEANS A SUBDIVISION OR SITE  
 21 PLAN IN WHICH THE APPLICANT PROPOSES TO DEVELOP A PROPERTY IN 2 OR MORE  
 22 INDIVIDUAL PHASES OVER A PERIOD OF TIME.

23       ~~(H)~~   ~~“SUBSTANTIALLY COMPLETE APPLICATION” MEANS A HOUSING~~  
 24 ~~DEVELOPMENT PROJECT APPLICATION THAT SATISFIES A SUBSTANTIAL MAJORITY~~  
 25 ~~OF THE APPLICATION REQUIREMENTS, BUT MAY CONTAIN NONSUBSTANTIVE~~  
 26 ~~ERRORS, OMISSIONS, OR SIMILAR INCONSEQUENTIAL DEFICIENCIES.~~

27                               SUBTITLE 2. LOCAL REGULATORY PROCEDURES.

28   12-201.

29       **(A)**   (1)   SUBJECT TO THE PROVISIONS OF THIS SUBSECTION, THE  
 30 APPROVAL, CONDITIONAL APPROVAL, OR DENIAL OF A HOUSING DEVELOPMENT  
 31 PROJECT APPLICATION BY A LOCAL REGULATORY AUTHORITY OR THE COMMISSION

1 SHALL BE GOVERNED ONLY BY THE DULY ADOPTED LAWS AND REGULATIONS IN  
2 EFFECT AT THE TIME OF SUBMISSION OF A ~~SUBSTANTIALLY~~ COMPLETE  
3 APPLICATION.

4 (2) (I) WITHIN ~~15~~ 30 DAYS AFTER RECEIPT OF A HOUSING  
5 DEVELOPMENT PROJECT APPLICATION, A LOCAL REGULATORY AUTHORITY OR THE  
6 COMMISSION SHALL MAKE A DETERMINATION AS TO WHETHER THE APPLICATION IS  
7 A ~~SUBSTANTIALLY~~ COMPLETE APPLICATION.

8 (II) AFTER MAKING A DETERMINATION UNDER THIS  
9 PARAGRAPH, THE LOCAL REGULATORY AUTHORITY OR THE COMMISSION SHALL:

10 1. PROMPTLY NOTIFY THE APPLICANT OF THE  
11 DETERMINATION AND THE DATE OF THE DETERMINATION; AND

12 2. IF THE LOCAL REGULATORY AUTHORITY OR THE  
13 COMMISSION HAS DETERMINED THAT THE APPLICATION IS NOT A ~~SUBSTANTIALLY~~  
14 COMPLETE APPLICATION, PROVIDE THE APPLICANT WITH A LIST OF DEFICIENCIES  
15 AND A REASONABLE TIME FRAME FOR CURING THE DEFICIENCIES.

16 (3) IF A LOCAL REGULATORY AUTHORITY OR THE COMMISSION FAILS  
17 TO NOTIFY AN APPLICANT OF ITS DETERMINATION REGARDING THE COMPLETENESS  
18 OF A HOUSING DEVELOPMENT APPLICATION WITHIN ~~20~~ 35 DAYS AFTER RECEIPT OF  
19 THE APPLICATION, THE APPLICATION IS DEEMED TO BE A ~~SUBSTANTIALLY~~  
20 COMPLETE APPLICATION FOR PURPOSES OF THIS SECTION.

21 (4) (I) ~~WHEN A LOCAL REGULATORY AUTHORITY OR THE~~  
22 ~~COMMISSION PROVIDES FOR THE APPROVAL OF A HOUSING DEVELOPMENT~~  
23 ~~PROJECT IN MULTIPLE STAGES~~ REQUIRES APPROVAL OF MULTIPLE HOUSING  
24 DEVELOPMENT PROJECT APPLICATIONS FOR THE COMPLETION OF A HOUSING  
25 DEVELOPMENT PROJECT, THE DATE OF A ~~COMPLETE OR SUBSTANTIALLY~~  
26 COMPLETE APPLICATION SUBMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION  
27 SHALL BE THE DATE OF THE FIRST ~~COMPLETE OR SUBSTANTIALLY~~ COMPLETE  
28 APPLICATION SUBMISSION FOR ANY PROCESS THAT MAY CULMINATE IN THE ~~FINAL~~  
29 APPROVAL OF THE APPLICATION COMPLETION OF A HOUSING DEVELOPMENT  
30 PROJECT.

31 (II) A ZONING TEXT AMENDMENT, APPLICATION FOR  
32 REZONING, OR OTHER LOCAL EQUIVALENT MAY NOT BE CONSIDERED AS A PROCESS  
33 THAT MAY CULMINATE IN THE ~~FINAL APPROVAL OF AN APPLICATION UNDER THIS~~  
34 ~~PARAGRAPH~~ COMPLETION OF A HOUSING DEVELOPMENT PROJECT.

1 (B) AFTER A HOUSING DEVELOPMENT PROJECT HAS RECEIVED ALL  
2 REQUIRED APPROVALS, THE PROPONENT OF THE PROJECT SHALL HAVE A VESTED  
3 RIGHT TO THAT AUTHORIZED USE AND DEVELOPMENT FOR THE LONGER OF:

4 (1) 5 YEARS; OR

5 (2) A PERIOD DETERMINED BY THE LOCAL REGULATORY AUTHORITY  
6 OR THE COMMISSION.

7 (C) FOR PURPOSES OF THIS SECTION, EACH ~~DISCRETE~~ PHASE OF A  
8 HOUSING DEVELOPMENT PROJECT SUBJECT TO A PHASED DEVELOPMENT PLAN  
9 SHALL BE CONSIDERED A DISCRETE HOUSING DEVELOPMENT PROJECT.

10 (D) THIS SECTION MAY NOT BE CONSTRUED TO:

11 (1) SUBJECT TO THE VESTING PERIOD IN SUBSECTION (B) OF THIS  
12 SECTION, PREVENT THE EXPIRATION OF AN APPROVAL OF A HOUSING  
13 DEVELOPMENT PROJECT APPLICATION IN ACCORDANCE WITH THE LAWS OR  
14 REGULATIONS GOVERNING A LOCAL REGULATORY AUTHORITY OR THE  
15 COMMISSION; OR

16 (2) LIMIT THE ABILITY OF A LOCAL REGULATORY AUTHORITY OR THE  
17 COMMISSION TO:

18 (I) REQUIRE APPROVALS OR PERMITS FOR EACH PHASE OF A  
19 HOUSING DEVELOPMENT PROJECT SUBJECT TO A PHASED DEVELOPMENT PLAN IN  
20 ACCORDANCE WITH THE LAWS AND REGULATIONS IN EFFECT AT THE TIME OF  
21 SUBMISSION OF A ~~SUBSTANTIALLY~~ COMPLETE APPLICATION FOR EACH RESPECTIVE  
22 PHASE;

23 (II) ENFORCE HEALTH AND SAFETY LAWS OR REGULATIONS  
24 THAT ARE NECESSARY TO ADDRESS IMMEDIATE THREATS TO PUBLIC SAFETY;

25 (III) EXECUTE A DEVELOPMENT RIGHTS AND RESPONSIBILITIES  
26 AGREEMENT UNDER TITLE 7, SUBTITLE 3 OF THIS ARTICLE; OR

27 (IV) APPROVE A ZONING TEXT AMENDMENT, APPLICATION FOR  
28 REZONING, OR OTHER LOCAL EQUIVALENT TO INCREASE THE DENSITY OF A  
29 HOUSING DEVELOPMENT PROJECT BEYOND THE MAXIMUM ALLOWABLE AMOUNT AT  
30 THE TIME OF ~~COMPLETE OR SUBSTANTIALLY~~ COMPLETE APPLICATION SUBMISSION  
31 UNDER SUBSECTION (A) OF THIS SECTION.



1                   1.     HAS BEEN AUTHORIZED TO ENACT DEVELOPMENT  
2 IMPACT FEES, SURCHARGES, OR DEVELOPMENT EXCISE TAXES; AND

3                   2.     HAS ENACTED, BY LOCAL LAW, DEVELOPMENT  
4 IMPACT FEES, SURCHARGES, OR DEVELOPMENT EXCISE TAXES; AND

5                   (2)    A MUNICIPALITY THAT IMPOSES, BY LOCAL LAW, DEVELOPMENT  
6 IMPACT FEES, SURCHARGES, OR DEVELOPMENT EXCISE TAXES.

7                   (C)    (1)    ~~ANY EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS~~  
8 SUBSECTION, ANY DEVELOPMENT EXCISE TAX OR DEVELOPMENT IMPACT FEE  
9 IMPOSED ON A RESIDENTIAL REAL ESTATE PROJECT UNDER THE AUTHORITY  
10 GRANTED IN THIS ARTICLE MAY NOT BE COLLECTED UNTIL AFTER:

11                   ~~(1)~~   (I)    CONSTRUCTION OF THE RESIDENTIAL REAL ESTATE  
12 PROJECT IS COMPLETE; AND

13                   ~~(2)~~   (II)   ALL REQUIREMENTS FOR A CERTIFICATE OF OCCUPANCY,  
14 OCCUPANCY PERMIT, OR OTHER LOCAL EQUIVALENT FOR THE RESIDENTIAL REAL  
15 ESTATE PROJECT HAVE BEEN MET.

16                   (2)    A DEVELOPMENT EXCISE TAX OR DEVELOPMENT IMPACT FEE  
17 IMPOSED ON A RESIDENTIAL REAL ESTATE PROJECT UNDER THE AUTHORITY  
18 GRANTED IN THIS ARTICLE MAY BE COLLECTED AS A PRECONDITION TO  
19 CONDUCTING A FINAL INSPECTION, BUT NOT MORE THAN 30 DAYS BEFORE THE  
20 DATE OF THE INSPECTION.

21                   (3)    THIS SUBSECTION DOES NOT APPLY TO THE COLLECTION OF A  
22 DEVELOPMENT EXCISE TAX OR DEVELOPMENT IMPACT FEE THAT WAS IMPOSED TO  
23 FINANCE A COUNTY DEBT THAT WAS INCURRED ON OR BEFORE JANUARY 1, 2026.

24                   (D)    NOTWITHSTANDING ANY OTHER LAW, A COUNTY OR MUNICIPALITY  
25 THAT IMPOSES A DEVELOPMENT EXCISE TAX OR DEVELOPMENT IMPACT FEE ON A  
26 RESIDENTIAL REAL ESTATE PROJECT UNDER THE AUTHORITY GRANTED IN THIS  
27 ARTICLE MAY DENY, WITHHOLD, OR REVOKE A CERTIFICATE OF OCCUPANCY,  
28 OCCUPANCY PERMIT, OR OTHER LOCAL EQUIVALENT IF THE DEVELOPMENT EXCISE  
29 TAX OR DEVELOPMENT IMPACT FEE IS NOT PAID WITHIN A REASONABLE TIME  
30 PERIOD SET BY THE COUNTY OR MUNICIPALITY.

31                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
32 October 1, 2026.