

HOUSE BILL 1259

L6

6lr3100

By: **Delegate Feldmark**

Introduced and read first time: February 12, 2026

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Zoning Authorities – Operation of Family Child Care Homes – Prohibitions and**
3 **Requirements**

4 FOR the purpose of prohibiting a local jurisdiction in the State from denying or restricting
5 the operation of certain family child care homes under certain circumstances and in
6 a certain manner; requiring a local jurisdiction to designate the operation of certain
7 family child care homes in a certain manner; and generally relating to zoning and
8 the operation of family child care homes.

9 BY repealing and reenacting, without amendments,
10 Article – Land Use
11 Section 1–401(a) and (c) and 10–103(a)
12 Annotated Code of Maryland
13 (2012 Volume and 2025 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Land Use
16 Section 1–401(b)(18), 4–216, and 10–103(b)(17)
17 Annotated Code of Maryland
18 (2012 Volume and 2025 Supplement)

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

21 **Article – Land Use**

22 1–401.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

2 (18) § 4–216 ([Limitations –] Family child care homes and large family child
3 care homes);

4 (c) This section supersedes any inconsistent provision of Division II of this article.
5 4–216.

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

7 (2) “Family child care home” has the meaning stated in § 9.5–301 of the
8 Education Article.

9 (3) “Large family child care home” has the meaning stated in § 9.5–301 of
10 the Education Article.

11 (b) A local jurisdiction, **BY LOCAL ORDINANCE, RESOLUTION, LAW, OR RULE:**

12 **(1)** may not[, by local ordinance, resolution, law, or rule,]:

13 **(I)** limit the number of children for which a family child care home
14 or large family child care home provides family child care to below the number authorized
15 by the State Department of Education; **OR**

16 **(II) DENY OR RESTRICT THE OPERATION OF A FAMILY CHILD
17 CARE HOME OR LARGE FAMILY CHILD CARE HOME THAT MEETS THE LICENSING
18 REQUIREMENTS ESTABLISHED BY THE STATE DEPARTMENT OF EDUCATION; AND**

19 **(2) SHALL DESIGNATE THE OPERATION OF A FAMILY CHILD CARE
20 HOME OR LARGE FAMILY CHILD CARE HOME AS:**

21 **(I) A RESIDENTIAL ACTIVITY; AND**

22 **(II) A PERMITTED USE UNDER RESIDENTIAL ZONING
23 REQUIREMENTS.**

24 10–103.

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

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

1 (17) § 4-216 ([Limitations –] Family child care homes and large family child
2 care homes);

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