

HOUSE BILL 1259

L6

6lr3100

By: **Delegate Feldmark**

Introduced and read first time: February 12, 2026

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2026

CHAPTER _____

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**

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 1–401.

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

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

5 (18) § 4–216 (~~Limitations –~~ Family child care homes and large family child
6 care homes);

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

8 4–216.

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

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

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

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

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

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

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

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

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

25 **(II) A PERMITTED USE UNDER RESIDENTIAL ZONING**
26 **REQUIREMENTS.**

27 10–103.

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

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

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

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 ~~October~~ June 1, 2026.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.