

SENATE BILL 189

L3

(PRE-FILED)

6lr1274
CF HB 34

By: **Senator Lewis Young**

Requested: October 21, 2025

Introduced and read first time: January 14, 2026

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 2, 2026

CHAPTER _____

1 AN ACT concerning

2 **Municipalities – Open Drainage Inlets – Required Grating Systems**
3 **(Mason’s Law)**

4 FOR the purpose of requiring a municipality to inventory and prioritize all existing open
5 drainage inlets in the municipality and construct or install ~~a certain approved~~
6 ~~grating system~~ certain improvements on a new or existing open drainage inlet within
7 the municipality; and generally relating to open drainage inlets in municipalities.

8 BY adding to

9 Article – Local Government

10 Section 4–112

11 Annotated Code of Maryland

12 (2013 Volume and 2025 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – Local Government**

16 **4–112.**

17 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
18 **INDICATED.**

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 **(2) (I) “APPROVED GRATING SYSTEM” MEANS A COVER PLACED**
2 **OVER THE OPENING OF AN OPEN DRAINAGE INLET IN ORDER TO ALLOW**
3 **STORMWATER RUNOFF TO ENTER THE DRAINAGE INLET WHILE PREVENTING LARGE**
4 **DEBRIS FROM ENTERING THE DRAINAGE INLET.**

5 **(II) “APPROVED GRATING SYSTEM” INCLUDES:**

6 **1. A STANDARD YARD INLET;**

7 **2. A RAISED GRATE YARD INLET;**

8 **3. A TRASH RACK GRATING, PROVIDED THAT THE RACK**
9 **HAS AT LEAST FOUR SIDES, EACH OF WHICH IS AT LEAST AS LARGE AS THE DIAMETER**
10 **OF THE SURFACE OPENING; AND**

11 **4. FOR NEW DRAINAGE INLETS, A PRECAST CONCRETE**
12 **BOX INCORPORATED INTO THE CONSTRUCTION OF THE DRAINAGE INLET.**

13 **(3) (I) “OPEN DRAINAGE INLET” MEANS A STRUCTURE WITH A**
14 **SURFACE OPENING THAT:**

15 ~~(I)~~ **1. HAS A DIAMETER OF 12 INCHES OR MORE; AND**

16 ~~(II)~~ **2. IS DESIGNED TO COLLECT AND DRAIN STORMWATER**
17 **RUNOFF.**

18 **(II) “OPEN DRAINAGE INLET” INCLUDES AN OPEN HEADWALL**
19 **STRUCTURE ATTACHED TO A CULVERT.**

20 **(III) “OPEN DRAINAGE INLET” DOES NOT INCLUDE:**

21 **1. A GRATE INLET;**

22 **2. A CURB INLET;**

23 **3. A COMBINATION CURB AND GRATE INLET;**

24 **4. A SURFACE-LEVEL DRAINAGE TUNNEL WITH ONLY**
25 **ONE SURFACE-LEVEL INLET AND ONE DIRECT SURFACE-LEVEL OUTLET;**

26 **5. A SLOTTED INLET; OR**

27 **6. A CULVERT LOCATED ON AN OPEN DRAINAGE**
28 **HIGHWAY.**

1 (4) “PRIVATELY OWNED EXISTING OPEN DRAINAGE INLET” MEANS AN
2 INLET THAT IS LOCATED ON PRIVATE PROPERTY AND WAS INSTALLED BEFORE
3 OCTOBER 1, 2026.

4 (5) (I) “PUBLICLY OWNED EXISTING OPEN DRAINAGE INLET”
5 MEANS AN INLET OWNED AND MAINTAINED BY THE MUNICIPALITY THAT WAS
6 INSTALLED BEFORE OCTOBER 1, 2026.

7 (II) “PUBLICLY OWNED EXISTING OPEN DRAINAGE INLET” DOES
8 NOT INCLUDE INLETS:

9 1. OWNED OR MAINTAINED BY A FEDERAL ENTITY,
10 STATE ENTITY, COUNTY, OR SCHOOL BOARD; OR

11 2. INSPECTED BY THE DEPARTMENT OF THE
12 ENVIRONMENT.

13 (B) A MUNICIPALITY MAY ENTER PRIVATE PROPERTY TO:

14 (1) COMPLETE THE INVENTORY REQUIRED UNDER SUBSECTION (C)
15 OF THIS SECTION; AND

16 (2) INSTALL AN APPROVED GRATING SYSTEM.

17 (C) (1) ON OR BEFORE JULY 1, 2027, A MUNICIPALITY SHALL INVENTORY
18 THE NUMBER AND LOCATION OF ALL PUBLICLY OWNED EXISTING OPEN DRAINAGE
19 INLETS AND PRIVATELY OWNED EXISTING OPEN DRAINAGE INLETS IN THE
20 MUNICIPALITY.

21 (2) (I) 1. ON OR BEFORE APRIL 1, 2028, A MUNICIPALITY
22 SHALL DEVELOP A PRIORITIZATION PLAN FOR MAKING IMPROVEMENTS TO
23 PUBLICLY OWNED EXISTING OPEN DRAINAGE INLETS AND PRIVATELY OWNED
24 EXISTING OPEN DRAINAGE INLETS.

25 2. THE PLAN SHALL PRIORITIZE MAKING
26 IMPROVEMENTS TO PUBLICLY OWNED EXISTING OPEN DRAINAGE INLETS AND
27 PRIVATELY OWNED EXISTING OPEN DRAINAGE INLETS THAT POSE THE GREATEST
28 RISK TO PUBLIC SAFETY.

29 3. A. A MUNICIPALITY IS NOT REQUIRED TO MAKE
30 IMPROVEMENTS TO PUBLICLY OWNED EXISTING OPEN DRAINAGE INLETS AND
31 PRIVATELY OWNED EXISTING OPEN DRAINAGE INLETS THAT DO NOT POSE A
32 LEGITIMATE RISK TO PUBLIC SAFETY.

1 **B. A MUNICIPALITY SHALL INCLUDE IN THE PLAN AN**
2 **EXPLANATION OF THE REASON FOR EACH PUBLICLY OWNED EXISTING OPEN**
3 **DRAINAGE INLET AND PRIVATELY OWNED EXISTING OPEN DRAINAGE INLET**
4 **EXCLUDED FROM THE PRIORITIZATION PLAN.**

5 **(II) IMPROVEMENTS MAY INCLUDE:**

6 **1. INSTALLATION OF AN APPROVED GRATING SYSTEM**
7 **SECURED TO THE INLET END OF THE OPEN DRAINAGE INLET OR THE CONCRETE**
8 **STRUCTURE BUILT TO HOUSE THE DRAINAGE INLET, IN A MANNER THAT PREVENTS**
9 **THE APPROVED GRATING SYSTEM FROM BEING REMOVED WITHOUT THE**
10 **APPROPRIATE TOOLS OR BY THE FORCE OF FLOOD WATER; OR**

11 **2. INSTALLATION OF FENCING THAT:**

12 **A. OBSTRUCTS AT LEAST 50% OF ANY OPENING; AND**

13 **B. IS DESIGNED AND INSTALLED IN A MANNER THAT**
14 **WOULD NOT ALLOW A PERSON TO ENTER THE OPEN DRAINAGE INLET.**

15 **(3) ON OR BEFORE APRIL 1, 2028, EACH MUNICIPALITY SHALL**
16 **NOTIFY A PRIVATE PROPERTY OWNER WITH A PRIVATELY OWNED EXISTING OPEN**
17 **DRAINAGE INLET THAT THE INSTALLATION OF AN APPROVED GRATING SYSTEM OR**
18 **FENCING IS REQUIRED IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION.**

19 **(4) ON OR BEFORE APRIL 1, 2031, EACH MUNICIPALITY SHALL MAKE**
20 **IMPROVEMENTS TO ALL PUBLICLY OWNED EXISTING OPEN DRAINAGE INLETS AND**
21 **PRIVATELY OWNED EXISTING OPEN DRAINAGE INLETS INCLUDED IN THE**
22 **PRIORITIZATION PLAN DEVELOPED UNDER PARAGRAPH (2) OF THIS SUBSECTION.**

23 **(5) (I) A MUNICIPALITY IS RESPONSIBLE FOR THE COST OF**
24 **INSTALLING IMPROVEMENTS ON ALL PUBLICLY OWNED EXISTING OPEN DRAINAGE**
25 **INLETS AND PRIVATELY OWNED EXISTING OPEN DRAINAGE INLETS.**

26 **(II) A MUNICIPALITY MAY APPLY TO THE COMPREHENSIVE**
27 **FLOOD MANAGEMENT GRANT PROGRAM TO COST-SHARE A PORTION OF THE**
28 **INSTALLATION COSTS.**

29 **(D) A MUNICIPALITY IS NOT REQUIRED TO ADD IMPROVEMENTS TO ANY**
30 **PUBLICLY OWNED EXISTING OPEN DRAINAGE INLETS AND PRIVATELY OWNED**
31 **EXISTING OPEN DRAINAGE INLETS IF IT WOULD SIGNIFICANTLY IMPAIR THE**
32 **HYDRAULIC CAPACITY OF THE DRAINAGE SYSTEM.**

1 (E) ONCE A MUNICIPALITY HAS INSTALLED AN APPROVED GRATING SYSTEM
2 ON A PRIVATELY OWNED EXISTING OPEN DRAINAGE INLET, THE MUNICIPALITY:

3 (1) IS NOT RESPONSIBLE FOR MAINTAINING IMPROVEMENTS
4 INSTALLED ON A PRIVATELY OWNED EXISTING OPEN DRAINAGE INLET; AND

5 (2) MAY NOT BE HELD LIABLE FOR INCIDENTS ARISING OUT OF THE
6 MAINTENANCE OF AN APPROVED GRATING SYSTEM.

7 (F) ANY NEW OPEN DRAINAGE INLET INSTALLED IN A MUNICIPALITY SHALL
8 BE EQUIPPED WITH AN APPROVED GRATING SYSTEM THAT MEETS THE
9 REQUIREMENTS FOR INSTALLATION DESCRIBED IN THIS SECTION.

10 ~~(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A~~
11 ~~MUNICIPALITY SHALL:~~

12 ~~(I) INCORPORATE AN APPROVED GRATING SYSTEM INTO THE~~
13 ~~CONSTRUCTION OF ANY NEW OPEN DRAINAGE INLET WITHIN THE MUNICIPALITY;~~
14 ~~AND~~

15 ~~(II) INSTALL AN APPROVED GRATING SYSTEM ON ANY EXISTING~~
16 ~~OPEN DRAINAGE INLET WITHIN THE MUNICIPALITY.~~

17 ~~(2) AN APPROVED GRATING SYSTEM CONSTRUCTED OR INSTALLED~~
18 ~~UNDER THIS SUBSECTION SHALL BE SECURED TO THE INLET END OF THE OPEN~~
19 ~~DRAINAGE INLET, OR THE CONCRETE STRUCTURE BUILT TO HOUSE THE DRAINAGE~~
20 ~~INLET, IN A MANNER THAT PREVENTS THE APPROVED GRATING SYSTEM FROM~~
21 ~~BEING REMOVED WITHOUT THE APPROPRIATE TOOLS OR BY THE FORCE OF FLOOD~~
22 ~~WATER.~~

23 ~~SECTION 2. AND BE IT FURTHER ENACTED, That, on or before June 1, 2027,~~
24 ~~each municipality in the State shall install an approved grating system on any existing~~
25 ~~open drainage inlet within the municipality in accordance with § 4-112 of the Local~~
26 ~~Government Article, as enacted by Section 1 of this Act.~~

27 SECTION ~~2.~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2026.