

Chapter 753

(House Bill 405)

AN ACT concerning

**Condominiums and Homeowners Associations – Governing Documents –
Electric Vehicle Recharging Equipment**

FOR the purpose of prohibiting provisions of the governing documents of a condominium or homeowners association from unreasonably restricting the governing body of the condominium or homeowners association from installing or authorizing the installation of electric vehicle recharging equipment; establishing that the installation or authorization of installation of electric vehicle recharging equipment by a governing body is subject to ~~the ordinary~~ certain budget processes of the condominium or homeowners association and requiring the governing body to consider the availability of sufficient parking to meet the needs of the community before installation or authorization; applying this Act retroactively; authorizing the governing body of a condominium or homeowners association to grant a certain license; and generally relating to electric vehicle recharging equipment in condominiums and homeowners associations.

BY adding to

Article – Real Property
Section 11–111.6 and 11B–111.13
Annotated Code of Maryland
(2023 Replacement Volume and 2025 Supplement)

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

Article – Real Property

11–111.6.

(A) IN THIS SECTION, “ELECTRIC VEHICLE RECHARGING EQUIPMENT” HAS THE MEANING STATED IN § 11–111.4 OF THIS SUBTITLE.

(B) A RECORDED COVENANT OR RESTRICTION, A PROVISION IN A DECLARATION, OR A PROVISION IN THE BYLAWS OR RULES OF A CONDOMINIUM MAY NOT PROHIBIT OR UNREASONABLY RESTRICT THE GOVERNING BODY FROM INSTALLING OR AUTHORIZING THE INSTALLATION OF ELECTRIC VEHICLE RECHARGING EQUIPMENT IN COMMON USE OR LIMITED COMMON USE PARKING SPACES.

(C) THE INSTALLATION OR AUTHORIZATION OF INSTALLATION OF ELECTRIC VEHICLE RECHARGING EQUIPMENT BY A GOVERNING BODY SHALL BE SUBJECT TO THE ~~ORDINARY~~ BUDGET PROCESS OF THE CONDOMINIUM FOR A COMMON AREA RENOVATION OR ALTERATION SIMILAR IN COST OR MAGNITUDE.

(D) A GOVERNING BODY SHALL CONSIDER THE AVAILABILITY OF SUFFICIENT PARKING TO MEET THE NEEDS OF THE COMMUNITY BEFORE INSTALLING OR AUTHORIZING THE INSTALLATION OF ELECTRIC VEHICLE RECHARGING EQUIPMENT IN COMMON USE OR LIMITED COMMON USE PARKING SPACES.

(E) NOTWITHSTANDING THE PROVISIONS OF § 11-125 OF THIS SUBTITLE, THE GOVERNING BODY MAY GRANT A LICENSE FOR UP TO 3 YEARS, RENEWABLE AT THE DISCRETION OF THE GOVERNING BODY, ON ANY COMMON ELEMENT NECESSARY FOR THE INSTALLATION OF EQUIPMENT OR FOR THE SUPPLY OF ELECTRICITY TO ANY ELECTRIC VEHICLE RECHARGING EQUIPMENT.

11B-111.13.

(A) IN THIS SECTION, “ELECTRIC VEHICLE RECHARGING EQUIPMENT” HAS THE MEANING STATED IN § 11-111.4 OF THIS ARTICLE.

(B) A RECORDED COVENANT OR RESTRICTION, A PROVISION IN A DECLARATION, OR A PROVISION IN THE BYLAWS OR RULES OF A HOMEOWNERS ASSOCIATION MAY NOT PROHIBIT OR UNREASONABLY RESTRICT THE GOVERNING BODY FROM INSTALLING OR AUTHORIZING THE INSTALLATION OF ELECTRIC VEHICLE RECHARGING EQUIPMENT IN COMMON USE OR LIMITED COMMON USE PARKING SPACES.

(C) THE INSTALLATION OR AUTHORIZATION OF INSTALLATION OF ELECTRIC VEHICLE RECHARGING EQUIPMENT BY A GOVERNING BODY SHALL BE SUBJECT TO THE ~~ORDINARY~~ BUDGET PROCESS OF THE HOMEOWNERS ASSOCIATION FOR A COMMON AREA RENOVATION OR ALTERATION SIMILAR IN COST OR MAGNITUDE.

(D) A GOVERNING BODY SHALL CONSIDER THE AVAILABILITY OF SUFFICIENT PARKING TO MEET THE NEEDS OF THE COMMUNITY BEFORE INSTALLING OR AUTHORIZING THE INSTALLATION OF ELECTRIC VEHICLE RECHARGING EQUIPMENT IN COMMON USE OR LIMITED COMMON USE PARKING SPACES.

(E) THE GOVERNING BODY MAY GRANT A LICENSE FOR UP TO 3 YEARS, RENEWABLE AT THE DISCRETION OF THE GOVERNING BODY, ON ANY COMMON

ELEMENT NECESSARY FOR THE INSTALLATION OF EQUIPMENT OR FOR THE SUPPLY OF ELECTRICITY TO ANY ELECTRIC VEHICLE RECHARGING EQUIPMENT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect any covenant or restriction, or provision in a declaration, bylaws, or rules, recorded or adopted before the effective date of this Act.

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

Approved by the Governor, May 26, 2026.