



House Bill 487

Committee: Judiciary

Bill: House Bill 487 Unhoused Individuals – Rights, Civil Action, and Affirmative Defense

Date: February 11th, 2025

Position: Favorable with Amendments

The Maryland Multi-Housing Association (MMHA) is a professional trade association established in 1996, whose members house more than 538,000 residents of the State of Maryland. MMHA's membership consists of owners and managers of more than 210,000 rental housing homes in over 958 apartment communities and more than 250 associate member companies who supply goods and services to the multi-housing industry.

House Bill 487 ("HB 487") seeks to provide certain rights to unhoused individuals conducting life-sustaining activities on certain public places. HB 487 also authorizes the Attorney General, or an individual harmed by a violation of the Act, to bring a certain civil action against a political subdivision, a unit of State or local government, or a government official. Additionally, HB 487 establishes an affirmative defense of necessity to certain criminal charges relating to trespass or disturbing the peace; and repealing the authority of a municipality to prohibit vagrancy.

While the intent of this legislation may be to only impact public places, MMHA had concerns that the HB 487's language as drafted may inadvertently have had an impact on housing providers and tenants.

Under HB 487 as initially drafted, housing providers may have run into difficult situations with unhoused individuals who have previously harassed or threatened residents and staff of a housing complex. For example, if the unhoused individual was conducting life-sustaining activity on a sidewalk adjacent to a housing complex, that unhoused individual would be protected to remain there in perpetuity regardless of their history of harassment or intimidation of residents or staff at the complex. This could have created a potentially serious public safety situation for residents and staff.

In communication with the sponsors, MMHA has been provided with sponsor amendments to this legislation that would satisfy concerns outlined above. Therefore, upon the adoption of the shared amendments, MMHA would move to favorable. MMHA commends the sponsors for their work of this legislation, and thanks them for their thoughtfulness and willingness to work with housing providers.

Please contact Matthew Pipkin, Jr. at (443) 995-4342 or mpipkin@mmhaonline.org with any questions.