



February 13, 2026

House Economic Matters Committee & House Government, Labor & Elections Committee

Bill: House Bill 179 – Department of Commerce – Complaint Portal and Annual Report

Position: Support with Amendments

Dear Members of the House Economic Matters Committee and the House Government, Labor & Elections Committee,

The City of Gaithersburg supports the intent of HB 179 to improve transparency and accountability regarding governmental application processing timelines.

However, the City seeks critical clarifications and amendments before full support, as currently drafted the bill contains ambiguous language and could hold municipalities accountable for delays outside their control.

The City's concerns and requested amendments are as follows:

1. "Process" Must Be Defined Clearly

The bill uses the term "process" without defining what portion of the application timeline it encompasses. It is unclear whether "process" means:

If "process" is interpreted as final approval or issuance, the City cannot support the bill, as final approval is often delayed by factors beyond municipal control.

Requested Amendment:

Clarify that "process" refers *only to the timeframe for municipal review* (e.g., review of materials submitted by an applicant) and not the overall time to final issuance or completion of all external agency requirements.

2. Responsibility Should Not Extend to External Delays

Municipalities should not be held responsible for delays caused by:

- applicant revisions requested by municipal reviewers;
- delays in receiving third-party reviews; and
- delays in external agency actions beyond municipal authority.

Cities can regulate the time taken for internal review but cannot control externalities pulled into the approval timeline.

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COUNCIL MEMBERS
Neil Harris
Lisa Henderson
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Jim McNulty
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CITY MANAGER
Tanisha R. Briley

Requested Amendment:

Specify that only delays within a municipality's actual review period are considered in any report or portal complaint, and exclude days elapsed due to applicant response time or external agency processes.

3. Complexity of Applications Must Be Recognized

Not all applications are equal: larger or more complex projects (e.g., site plans, special exceptions) often require additional time for thorough review to ensure compliance with local code requirements. An arbitrary 60-day threshold for processing could inadvertently encourage rushed reviews, leading to incomplete or poor-quality outcomes.

Requested Amendment:

Include language acknowledging that complex or multicomponent applications may reasonably require more than 60 days for review and allow for mutually agreed extension timelines between municipalities and applicants.

4. Portal Complaints May Misrepresent Review Reality

The portal may generate complaints that actually reflect unrealistic applicant expectations rather than true inefficiencies in review. Applicants may misunderstand statutory or code requirements and confuse extended timelines with procedural delay.

Requested Amendment:

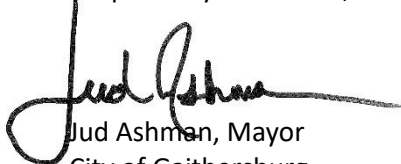
Require the Department of Commerce to include in the annual report a contextual analysis, differentiating between:

- delays based on municipal procedural review;
- delays due to applicant actions; and
- delays due to external agency requirements.

The City of Gaithersburg supports the goals of HB 179 to enhance transparency in permitting timelines but respectfully requests amendments to ensure the bill fairly reflects the municipal review process and does not impose accountability for delays beyond a municipality's control.

We urge the Committee to adopt the clarifications outlined above so that HB 179 can effectively achieve its intended purpose without unintended consequences.

Respectfully submitted,



Jud Ashman, Mayor
City of Gaithersburg

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