



TESTIMONY

COMMITTEE: Senate Education, Energy, and the Environment

DATE: April 2, 2026

POSITION: Unfavorable

BILL: House Bill 1259

Municipalities recognize the critical importance of expanding access to affordable, high-quality child care. Family child care homes play a valuable role in serving working families and supporting local economies. Many municipalities already permit these uses in residential areas and work collaboratively with providers to ensure they can operate successfully within neighborhood settings.

However, HB 1259 would significantly narrow local zoning authority by prohibiting local jurisdictions from denying or restricting the operation of family child care homes and large family child care homes that meet State licensing requirements. The bill requires local jurisdictions to designate these operations as residential activities and permitted uses in residential zones and prevents municipalities from imposing standards that differ from State thresholds, including capacity limits.

Zoning authority is one of the core tools municipalities use to manage land use compatibility, density, traffic flow, parking, and neighborhood character. While State licensing addresses health, safety, and programmatic standards, it does not account for site-specific land use considerations that vary across communities. For example, a municipality may currently use reasonable parking, spacing, or special exception review processes to address traffic or congestion concerns on narrow residential streets or in high-density neighborhoods. By establishing a uniform statewide mandate and requiring these operations to be treated as permitted residential uses in all cases, HB 1259 removes the ability of municipalities to apply those locally tailored standards to address neighborhood impacts.

Municipalities support policies that expand child care access, but those policies should preserve appropriate local land use authority and flexibility. For these reasons, the Maryland Municipal League respectfully requests an unfavorable report on House Bill 1259.

For more information relating to this piece of testimony, please contact:
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MML represents 161 local governments and about 2 million Maryland residents.