



**Senate Finance Committee**  
**SB 31 School Construction and Housing –**  
**School Zones and Adequate Public Facilities Ordinances**  
**February 17, 2026**

The Howard County Housing Affordability Coalition represents housing advocates, community organizations, service providers and residents who are united by a shared goal: ensuring that every person in our County has access to safe, stable and affordable housing.

The Coalition is appreciative of Senator Lam’s intent to ensure in Senate Bill 31 that a County’s Adequate Public Facility Ordinance (APFO) is not used to unduly delay housing construction projects. Our Coalition supports **Senate Bill 31** but does request an amendment.

We strongly agree that APFO tests must be administered at the time of approval of the initial development plan submission and specifically should not delay the processing and completion of subdivision or site development plans. Applying APFO requirements at this early stage ensures clarity and consistency allowing developers, local governments and communities to plan and move forward with elements of the development process during the “school bin” waiting period.

Authorizing APFO to delay the issuance of final—we assume building—permits, however, would introduce significant uncertainty into the development process resulting in the unintended consequence of creating a disincentive to housing development. Linking building permits to a backend APFO test would likely result in fewer housing projects being initiated.

For example, with the potential for a change in an earlier APFO clearance decision, there would be no secure path to the “entitlements” (such as housing unit allocations awarded, passed roads test, passed both school tests, plat recorded in land records) required by lenders before funding a loan. Such a disincentive seems to counter CB 31’s intent and certainly counters state and local goals of increasing housing, including affordable housing, inventory. To avoid introducing this unintended consequence into the housing development process, the Coalition respectfully requests that CB 31 be amended by eliminating the second 7-106 bullet “May delay the issuance of final permits.”

With such an amendment, the Housing Affordability Coalition requests a FAVORABLE committee report.

Respectfully,

*Jackie Eng*

Jackie Eng, Coalition Coordinator