
TO: Senate Education, Energy, and the Environment Committee

BILL: House Bill (HB) 1259 - Zoning Authorities - Operation of Family Child Care Homes - Prohibitions and Requirements

DATE: March 5, 2026

POSITION: Support

The Maryland State Department of Education (MSDE) is providing information regarding House Bill (HB) 1259 - Zoning Authorities - Operation of Family Child Care Homes - Prohibitions and Requirements, which proposes to prohibit local zoning jurisdictions from denying or restricting the operation of certain family child care homes when those homes meet the licensing requirements established by MSDE. HB 1259 would also require zoning authorities to classify these family child care homes as a residential activity and a permitted use.

Across the country, the supply of child care programs has fallen sharply since the COVID-19 pandemic, creating persistent gaps in access for working families. In response, states and their partners have been working to stabilize and rebuild the sector, recognizing that a stronger child care market is foundational to economic recovery. A larger, more reliable supply of child care directly boosts workforce participation, supports employers, strengthens state revenues, and helps sustain small businesses, many of which are child care providers themselves.

MSDE is committed to advancing policies that meaningfully strengthen Maryland's child care system. HB 1259 aims to expand child care supply without creating fiscal impacts for the agency and, therefore, represents a responsible and highly valuable path forward. Measures of this kind help remove barriers for providers, increase access for families, and support Maryland's workforce and economy while respecting the state's budget constraints.

A similar effort, [HB 785](#) (2025), also known as *Common Ownership Communities and Zoning Authorities – Operation of Family Child Care Homes – Limitations*, was enacted in 2025. MSDE supported that legislation; however, implementation has presented challenges as State and local entities worked to interpret and operationalize the new requirements. Because MSDE's Division of Early Childhood Licensing Branch relies on local zoning determinations as part of the licensing process, differences in interpretation and local readiness created delays in some cases.

HB 1259 seeks to address these implementation gaps by clarifying expectations for local zoning authorities. Specifically, the bill prohibits zoning jurisdictions from denying or restricting certain family child care homes that meet licensing requirements and requires that these programs be treated as permitted residential uses. As with the 2025 legislation, the State Board and MSDE support the goal of reducing barriers to family child

care and improving clarity in the approval process.

HB 1259 will require coordination among local zoning authorities and MSDE to ensure that eligible family child care homes are treated as permitted residential uses. Because MSDE relies on local zoning determinations as part of the licensing process, effective implementation will depend on clear alignment between State and local entities. Absent consistent application at the local level, licensing timelines could remain impacted, potentially continuing the challenges the bill seeks to address. For this reason, MSDE encourages continued collaboration with zoning jurisdictions across Maryland to clarify expectations and support smooth, consistent implementation prior to enactment.

The State Board and MSDE request that the committee consider this information as it deliberates **HB 1259**. For further information, please contact Laurel Cratsley, Interim Executive Director of Government Affairs, at Laurel.Cratsley@maryland.gov.