

To: Senate Education, Energy and Environment Committee

From: Shawn McIntosh
1232 Sparks Road
Sparks, MD 21152
smhasler14@gmail.com

Testimony in Opposition to Maryland Senate Bill 31
Shawn McIntosh

Chair Feldman and Members of the Committee,

Thank you for the opportunity to provide testimony in opposition to Senate Bill 31.

My name is Shawn McIntosh. I previously served as Chair of LOCAL Maryland, a statewide coalition formed specifically to prevent state-level preemption of local authority. In that role, I worked alongside county leaders and community advocates across Maryland who understood a simple truth: decisions are most effective when they are made closest to the people they impact.

Senate Bill 31 would preempt local Adequate Public Facilities Ordinances, or APFOs. That is deeply concerning.

APFOs are one of the most important tools counties have to ensure that development keeps pace with infrastructure. When used appropriately, APFOs allow local governments to analyze real data such as school capacity, road congestion, public safety response times, water and sewer capacity to determine whether a proposed development can be supported without creating unintended negative consequences for existing residents.

This is not about stopping development. It is about sequencing development responsibly.

Maryland is not a one-size-fits-all state. Conditions in Baltimore County are different from those in Montgomery County, Worcester County, or Washington County. Local planners and elected officials rely on localized data to make informed decisions that balance growth with infrastructure, environmental protection, and quality of life.

State-level preemption of APFO authority ties the hands of local decision makers. It removes the ability to respond to unique community conditions. It undermines smart growth principles that Maryland has long championed. And it risks accelerating development in ways that strain schools, overwhelm roads, and shift costs onto taxpayers.

When infrastructure lags behind growth, it is families who pay the price in overcrowded classrooms, longer emergency response times, traffic congestion, and diminished public trust in government planning.

APFOs, when structured responsibly, create predictability for developers and protection for communities. They provide clear standards. They ensure that growth can occur without sacrificing the health, safety, and well-being of existing residents.

Preemption is a blunt instrument. Good planning requires precision.

If the state believes reforms are needed, that conversation should happen collaboratively with counties, not through broad preemption that strips local governments of essential planning tools.

For these reasons, I respectfully urge an unfavorable report on Senate Bill 31.

Thank you for your consideration.