



**The Maryland Department of the Environment  
Secretary Serena McIlwain**

***Senate Bill 325***

***Land Use - Permitting - Development Rights (Maryland Housing Certainty Act)***

**Position:** Support  
**Committee:** Education, Energy, and the Environment  
**Date:** February 17, 2026  
**From:** Alex Butler, Deputy Director of Government Relations

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The Maryland Department of the Environment (MDE) **SUPPORTS** SB 325.

**Bill Summary**

Senate Bill 325 will reduce housing costs by providing regulatory stability and preventing mid-process rule changes that can derail development. The bill establishes vested rights for housing projects, ensuring that once an application is submitted, the rules cannot be changed by local authorities. By establishing vested rights once a project is substantially complete, SB 325 prevents mid-stream zoning changes from derailing high-density housing projects. These projects are essential for meeting our climate goals by reducing vehicle miles traveled and preserving "greenfield" land.

**Position Rationale**

Maryland is working to meet ambitious greenhouse gas reduction targets by 2031. Reaching these targets requires a massive increase in housing near transit hubs, developments that often take years to plan. Senate Bill 325 ensures that the five-year vested right remains consistent, allowing developers to invest in the energy-efficient, transit-oriented infrastructure that Maryland's environment demands without the fear of sudden regulatory shifts. Projects that have already met MDE's rigorous water and sewer standards should not be delayed by shifting local procedural rules. By locking in the laws and regulations in effect at the time of application, we ensure that environmentally sound projects can move forward without costly, resource-intensive redesigns.

Senate Bill 325 does not grant a pass to ignore environmental protections. MDE retains its full authority to enforce state-level environmental regulations, and local authorities still have the power to require compliance with established building and health codes. The bill simply prevents the use of zoning and regulatory changes as a tool to block projects that have already demonstrated their adherence to Maryland's environmental and safety standards. By providing housing certainty, SB 325 ensures that the state's vision for a greener, more affordable Maryland can be realized with the speed and scale required.

Accordingly, MDE asks for a **FAVORABLE** report for SB 325.

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