

Testimony on SB36, Starter and Silver Homes Act of 2026
Senate Education, Energy, and the Environment Committee
M. Elizabeth Joyce, District 20
February 17, 2026

Good afternoon, Chair Feldmann and Vice-Chair Kagan. My name is Elizabeth Joyce from District 20. Thank you for your fine work representing Montgomery County and for allowing me to testify today on SB36.

Although making Maryland housing more affordable and abundant is a worthy goal, I strongly oppose this sweeping and unnecessary bill because as written, it cannot achieve these goals. Evidence presented to the House Economic Matters Committee last week shows why SB36 is a solution in search of a problem and should be withdrawn and completely revised.

Bill Misunderstands the “Problem:” Powerful testimony from Erica Jorgensen, Harvard PhD in economics, and Rohit Khanna shows why the bill seeks to “solve” a crisis that does not exist. In contrast to the bill’s stated claims, their testimony includes hard evidence that:

1. **Maryland is NOT losing residents because of high housing costs:**
 - a) Net out-migration from Maryland is modest
 - b) People are moving out of Maryland for employment or family reasons, not housing costs.
 - c. Outmigration is not leading to falling state income, failing state income, a shrinking economy, and a failing state. *These claims are based on flawed IRS data and misuse of numbers from the pandemic years (outliers) as the basis for conclusions.*
2. **The housing shortage supply/demand problem in Maryland is complex and changing.**
 - a) Federal job losses and deportations will continue to weaken demand for housing.
 - b) *Median home costs in Maryland are 16th in the U.S, much lower than suggested by the report behind the bill.*
3. ***Current MD land use regulations should be carefully interpreted and administered .***
 - a. *MD is a wealthy and densely populated state*
 - b. *Density cannot exceed infrastructure without damaging quality of life.*
4. **Upzoning, the “solution” proposed by the bill, is a form of trickle-down, deregulatory economics that even if “successful” takes decades to produce meaningful results.** The current problems in the housing market stem from oligopoly in the housing sector and income inequality, which the bill does little to address.

Affordability: The bill provides no data to show why it would solve the affordability crisis as described. Supporters claim that that the bill ”could reduce price points by up to 30 percent.” Where

are the data and hard evidence to support this claim?

Also, the Fiscal and Policy Note for HB 239 shows the bill could significantly affect the budgets and taxes of local jurisdictions: “Infrastructure spending by local jurisdictions may increase or accelerate to the extent the bill’s prohibitions result in greater density of development, of smaller homes, creating infrastructure demand that outpaces the capacity planned for by a local jurisdiction based on the jurisdiction’s existing regulation of single-family home development. The extent to which potential additional strain on infrastructure under the bill may result in increased/accelerated infrastructure spending, and **the potential magnitude of that spending, cannot be reliably estimated** and depends on the infrastructure capacity of an area in which a development is proposed, and the extent of increased development density resulting from the bill. In jurisdictions that collect development impact fees or excise taxes, the increased development also generates development impact fee or excise tax revenues that can help fund additional infrastructure capacity.

Equity: The bill could result in significant inequity among jurisdictions. By overriding most local regulatory authority, the bill denies jurisdictions the flexibility to enact their planning goals. Montgomery County, for example, has spent the last five years and millions of dollars enacting new legislation to meet goals like the Governor’s. Our Planning Board will submit dozens of proposed amendments to this bill to give the County the flexibility to protect our legislation, infrastructure, and the environment. The Governor’s recent (9/2/2025) [executive order on housing](#) proposed setting targets and working with the counties to meet them—a much better and more respectful approach.

Gentrification and displacement of current lower-income homeowners could also result from the bill. MC’s Office of Legal Oversight reported that [a bill less stringent than the Governor’s](#) could significantly displace minority and low-income homeowners, replacing them with much higher-income homeowners.

Also, **exemptions now being proposed** for (usually wealthier) historic districts, rural areas, and those with no public sewer and water systems, would shift the burden to larger jurisdictions with complex challenges. **If this policy is sound, it should apply to all areas.** Not only that, but the bill also creates an unfunded mandate for areas where it applies. As written, the bill will produce a scramble among jurisdictions to be exempted from its provisions.

(2023) was \$94,584-\$98,678. The bill is unlikely to meet this key goal.

Equity: By overriding most local regulatory authority, the bill denies jurisdictions the flexibility to enact their planning goals. Montgomery County, for example, has spent the last five years and millions of dollars enacting new legislation to meet goals similar to the Governor's. Our Planning Board will submit dozens of proposed amendments to this bill to give the County the flexibility to protect our legislation, infrastructure, and the environment. The Governor's recent (9/2/2025) [executive order on housing](#) proposed setting targets and working with the counties to meet them—a much better and more respectful approach.

Gentrification and displacement of current lower-income homeowners could also result from the bill. MC's Office of Legal Oversight reported that [a bill less stringent than the Governor's](#) could significantly displace minority and low-income homeowners, replacing them with much higher-income homeowners.

Also, exemptions now being proposed for (usually wealthier) historic districts, rural areas, and those with no public sewer and water systems, would shift the burden to larger jurisdictions with complex challenges. If this policy is sound, it should apply to all areas. Not only that—the bill creates an unfunded mandate for areas where it applies.

Lack of evidence: [Impressive recent scholarship](#) challenges the Governor's assumptions that zoning is the main reason for housing costs and that [upzoning will solve the problem](#). The COVID epidemic and the 2008-2009 financial collapse fundamentally altered the housing market (with investors purchasing large numbers of single-family homes rather than issuing mortgages. Mandating statewide "solutions" based on flawed assumptions would be unfortunate for the Governor, would-be homeowners, and those who have invested their life savings in their homes.

Thank you again for the opportunity to speak with you today.