



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

Senate Bill 267

***Land Use - Residential Housing - Oversight, Regulation, and Taxation (Building Affordably
in My Back Yard Act)***

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

The Maryland Department of the Environment (MDE) offers the following **INFORMATIONAL** testimony regarding SB 267.

Senate Bill 267 seeks to address Maryland's housing supply challenge. The bill addresses: (1) housing targets for each local jurisdiction; (2) a local administrative review and approval process for certain housing development project applications; (3) mixed-use development in municipalities and large counties; and (4) excise taxes, impact fees, and property transfer taxes.

Increasing affordable residential housing stock is dependent on many inter-related factors and SB 267's comprehensive approach includes actions at both the local and State levels. However, MDE does have concerns over Sections 4 and 5 of the bill. Section 4 requires the Maryland Department of Planning to publish a comprehensive report on housing infrastructure, including water and sewer infrastructure. Much of the water and sewer analysis required under the study is redundant with existing reports and informational sources, and would divert MDE staff from other critical duties.

Section 5 of the bill requires numerous State agencies, including MDE, to conduct a "comprehensive internal review of any existing process, procedure, regulation, policy, or approval requirement under the department's jurisdiction that impacts the permitting, review, funding, or development of housing in the State." MDE has already aggressively worked to streamline and reduce our permitting and review times and MDE does not believe Section 5's onerous requirements would yield additional benefits. Complying with Section 5 would take at least 600 hours of limited staff time from our Water Supply and Wastewater Pollution Prevention and Reclamation Programs.

Based on these concerns, MDE recommends that the Committee delete Sections 4 and 5 of the bill if the Committee decides to move SB 267 favorably. MDE appreciates the opportunity to offer this **INFORMATIONAL** testimony regarding SB 267.

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