

SUPPORT Senate Bill 267, Land Use Residential Hous

Uploaded by: A.Kaye Kenney

Position: FAV



WICOMICO COUNTY, MARYLAND

OFFICE OF THE COUNTY EXECUTIVE

P.O. BOX 870

SALISBURY, MARYLAND 21803-0870

410-548-4801

FAX: 410-548-4803

Bunky Luffman
Director of Administration

Steven S. Lakin
Assistant Director of Administration

Julie M. Giordano
County Executive

To: Education, Energy, & the Environment and Budget & Taxation Committees

From: Bunky Luffman, Wicomico County Director of Administration

RE: Senate Bill 267, *Land Use - Residential Housing - Oversight, Regulation, and Taxation*

(Building Affordably in My Back Yard Act)

Date: February 17, 2026

Position: SUPPORT

Wicomico County SUPPORTS the Building Affordably in My Back Yard (BAMBY) Act.

This comprehensive, locally grounded package advances a balanced housing strategy: **empower counties to speed housing production, deploy practical market tools, align State actions with local realities, and pair growth with sensible renter protections.** Together, these four pillars will help Maryland deliver more homes—faster, at lower cost—while protecting communities, infrastructure capacity, and household stability.

Maryland's housing shortage is constraining economic opportunity, driving up costs for families, and putting pressure on employers and public services. Counties are on the front lines of this challenge: approving projects, delivering the public services, and developing major infrastructure (schools, roads, water/wastewater). BAMBY recognizes this complex reality and offers a pragmatic path forward to increasing affordable housing in Maryland.

The BAMBY Act is an initiative of the Maryland Association of Counties – indicating its status as a priority for all 24 county jurisdictions – and accomplishes the following:

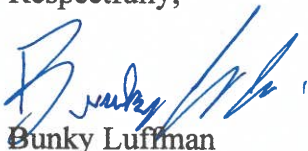
- Reduces friction in the local approval process and helps counties produce housing more efficiently and effectively.
- Uses smart market levers to reduce per-unit costs and expand the pipeline of feasible housing projects.
- Pairs local tools with State responsibility—because production depends on infrastructure, coordination, and consistent policy signals.
- Advances affordability on both ends—more supply over time, and better stability for renters now.

To: Education, Energy, & the Environment and Budget & Taxation Committees
From: Bunky Luffman, Wicomico County Director of Administration
RE: Senate Bill 267, *Land Use - Residential Housing - Oversight, Regulation, and Taxation (Building Affordably in My Back Yard Act)*
Date: February 17, 2026
Position: SUPPORT
Page: Two

Wicomico County is the most populous county on the Maryland's Eastern Shore and is home to its largest city, Salisbury; yet the County remains largely rural in character. Wicomico County actively supports and encourages the development of affordable, workforce, and market-rate housing, but its ability to attract private investment is often constrained by State land-use policies and regulations. For this reason, the County does not favor additional "one-size-fits-all" State legislation that pre-empts local planning and zoning authority. Instead, the County supports flexible legislative initiatives—such as the BAMBY framework—that empower local governments to craft programs, policies, and regulations tailored to the unique needs of their communities.

At its core, BAMBY improves certainty, increases efficiency, clarifies accountability, and empowers counties to more directly address Maryland's affordable housing crisis. While no single bill is a silver bullet, BAMBY represents one of the most comprehensive, actionable approaches proposed to meet this moment. Counties stand ready to be strong partners in delivering more housing—quickly, responsibly, and in ways communities can sustain. For these reasons, Wicomico County respectfully urges the Committee to issue a **FAVORABLE** report on the BAMBY Act.

Respectfully,



Bunky Luffman
Director of Administration

SB267_BrooksB.pdf

Uploaded by: Benjamin Brooks

Position: FAV

BENJAMIN BROOKS
Legislative District 10
Baltimore County

Education, Energy, and the
Environment Committee
Energy Subcommittee

Chair, Joint Electric Universal
Service Program Workgroup



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Annapolis Office
James Senate Office Building
11 Bladen Street, Room 303
Annapolis, Maryland 21401
410-841-3606 · 301-858-3606
800-492-7122 Ext. 3606
Benjamin.Brooks@senate.state.md.us

District Office
Windsor Mill Office
8419 Liberty Road, Suite B
Windsor Mill, Maryland 21244
410-496-4037

TESTIMONY IN SUPPORT OF SB 267
Land Use- Residential Housing – Oversight, Regulation, and Taxation
(Building Affordably in My Back Yard Act)

Education, Energy and the Environment Committee

February 17, 2026

Chair Feldman, Vice Chair Kagan, and Members of the Committee:

Thank you for the opportunity to testify before you on SB 267, Building Affordably in My Back Yard (**BAMBY**) Act. This bill establishes a statewide framework to better align housing production with Maryland’s needs while equipping counties with tools to streamline approvals and advance locally planned affordable housing projects.

At its core, BAMBY is about something simple and urgent: making sure that working families, young people and essential workers can afford to live in communities they help to sustain. We all agree that we need more affordable housing. But, too often, when it comes time to build, we hear a familiar refrain: “*Not here.*” BAMBY changes that conversation. This bill says “yes- right here.” Yes, to smart growth. Yes, to inclusive communities. Yes, to housing that reflects the real economic diversity of Maryland.

SB 267 is not about slogans or sweeping preemption. It is about empowering local governments with practical, fiscally responsible tools to get more housing built — faster, more predictably, and in the right places, while respecting community character, infrastructure capacity, and meaningful public input.

BAMBY authorizes counties to reduce or exempt certain housing-related taxes and fees for qualifying affordable housing developments within a defined framework, helping lower development costs and incentivize production. To qualify, projects must meet clear affordability standards, including:

- At least 25% of all units be designated as Affordable Dwelling Units (ADUs);
- Income targeting to ensure those units serve low- and moderate-income households;
- and

- Deed restrictions preserving affordability for a minimum of 40 years.

This is not market-rate development alone. It is structured, mixed-income housing with affordability built in from the start. By ensuring that one in four units created under this framework is affordable, SB 267 promotes socioeconomic integration, helps prevent displacement, expands access to high-opportunity areas, and increases overall housing production while guaranteeing long-term affordability. Under BAMBY, affordability is not an afterthought — it is foundational.

Maryland is facing persistent housing supply shortages, rising rents and home prices, increasing cost burdens for moderate-income families, and workforce recruitment challenges in high-cost regions. SB 267 addresses supply and affordability simultaneously. By requiring 25% ADUs rather than relying solely on direct subsidies, the bill leverages private development to expand affordability without placing the full burden on state or local budgets.

Further, BAMBY provides counties with the flexibility and leeway they need to respond to local housing challenges by authorizing them to tailor solutions that reflect their unique market conditions. Rather than imposing a one-size-fits-all mandate, the bill empowers local governments to streamline administrative review processes, establish pre-approved building models, and align planning tools with state housing production targets.

At the same time, the bill authorizes targeted tax measures, including special property tax classifications or transfer tax adjustments, to address speculative investment or underutilized property. Together, these provisions give counties practical fiscal tools to encourage affordable housing development while maintaining local control over implementation.

SB 267 reflects a practical understanding of what it will take to improve housing affordability in Maryland: land use reforms that support locally planned growth, market tools that improve feasibility, state actions that align systems with delivery, and renter protections that promote stability. Together, these pillars represent a balanced approach that advances housing while respecting communities and the infrastructure realities that counties manage every day.

Affordable housing is not a threat to our communities; it is a strength. It brings vitality, stability, and shared prosperity. At a time when too many Maryland families are priced out of opportunity, this bill offers a responsible path forward; one that meets the moment with collaboration, flexibility, and accountability.

For these reasons, I respectfully urge the Committee to issue a favorable report on SB 267.

With kindest regards,



Benjamin Brooks

SB0267 Land Use Residential Housing

Uploaded by: Calvin Ball

Position: FAV



HOWARD COUNTY OFFICE OF COUNTY EXECUTIVE

3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2013 Voice/Relay

Calvin Ball
Howard County Executive
cball@howardcountymd.gov

www.howardcountymd.gov
FAX 410-313-3051

February 13, 2026

The Honorable Brian Feldman, Chair
Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, Maryland 21401

Re: **TESTIMONY IN SUPPORT of Senate Bill 267: Land Use - Residential Housing - Oversight, Regulation, and Taxation (Building Affordably in My Back Yard Act)**

Dear Chair Feldman, Vice Chair Kagan and Members of the Committee:

On behalf of Howard County I write to express my support for SB267, the Building Affordably in My Back Yard Act.

Howard County's success as a place where people want to live, work, play, grow, thrive, and raise families did not happen by chance. It is the result of long-standing values rooted in inclusion, shared opportunity, and thoughtful, comprehensive planning. Our county has grown by bringing people together around a common vision, one that recognizes our responsibility to plan not just for today, but for the generations who will follow.

The housing challenges facing communities today call for cooperative, solutions-oriented leadership. As local leaders, we are tasked with expanding access to housing in ways that are both practical and respectful of the places we call home. This legislation supports that work by simplifying processes and aligning with local government efforts, empowering communities to respond to housing needs and addressing financial and permitting barriers to housing supply.

This legislation contains several provisions, some of which are detailed below, that align with our vision:

- Offers regulatory certainty for construction projects by clarifying that plan approvals/rejections should be based on regulations in place at time of completed applications;
- Facilitates a development-friendly payment schedule by allowing certain fees and taxes to be paid incrementally, which could help address financing issues that development projects face;
- Creates pathways for fast-track approvals, expedited permitting for pre-approved designs and tax relief for affordable housing projects; and
- Promotes home ownership through establishing a right of first refusal for home buyers looking to purchase single family homes.



HOWARD COUNTY OFFICE OF COUNTY EXECUTIVE

3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2013 Voice/Relay

Calvin Ball
Howard County Executive
cball@howardcountymd.gov

www.howardcountymd.gov
FAX 410-313-3051

I am also aware of concerns from the real estate industry around certain provisions of this bill related to the hold period for the sale of owner-occupied property and empowering local governments to establish varied tax treatment for property based on owner occupancy and/or value. This is one of several bills currently being considered by the General Assembly to address the need for more housing. I encourage open dialogue, collaboration and balance in the adoption of thoughtful housing policy that respects the voices of all partners.

By working together across levels of government, industry and alongside our residents, we can ensure our communities remain welcoming, stable, and full of opportunity for all.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Calvin Ball', is written over a horizontal line.

Calvin Ball
Howard County Executive

Senate Bill 267 - Building Affordably in My Back Y

Uploaded by: Carol Riley-Alexander

Position: FAV

THE BOARD OF GARRETT COUNTY COMMISSIONERS

203 South Fourth Street - Courthouse - Room 207 Oakland, Maryland 21550
www.garrettcounty.md.gov countycommissioners@garrettcounty.md.gov
301-334-8970 301-895-3188 FAX 301-334-5000

Board of Commissioners

Paul C. Edwards
Ryan S. Savage
S. Larry Tichnell

County Administrator

Kevin G. Null

County Attorney

Gorman E. Getty III

February 13, 2026

Senator Guy Guzzone, Chair
Senate Budget and Taxation Committee
3 West Miller Senate Office Building
11 Bladen Street
Annapolis, Maryland 21401

RE: SUPPORT FOR SENATE BILL 267, LAND USE - RESIDENTIAL HOUSING - OVERSIGHT, REGULATION, AND TAXATION (BUILDING AFFORDABLY IN MY BACK YARD ACT)

Dear Chair Guzzone and Members of the Committee:

The Board of County Commissioners of Garrett County **SUPPORTS** Senate Bill 267, Building Affordably in My Back Yard (BAMBY) Act.

This comprehensive, locally grounded package advances a balanced housing strategy: **empower counties to speed housing production, deploy practical market tools, align state actions with local realities, and pair growth with sensible renter protections.** Together, these four pillars will help Maryland deliver more homes—faster, at a lower cost—while protecting communities, infrastructure capacity, and household stability.

Maryland's housing shortage is constraining economic opportunity, driving up costs for families, and putting pressure on employers and public services. Counties are on the front lines of this challenge: approving projects, delivering the public services, and developing major infrastructure (schools, roads, water/wastewater). BAMBY recognizes this complex reality and offers a pragmatic path forward to increasing affordable housing in Maryland.

The BAMBY Act is an initiative of the Maryland Association of Counties – indicating its status as a priority for all 24 county jurisdictions – and accomplishes the following:

- Reduces friction in the local approval process and helps counties produce housing more efficiently and effectively.
- Uses smart market levers to reduce per-unit costs and expand the pipeline of feasible housing projects.
- Pairs local tools with state responsibility—because production depends on infrastructure, coordination, and consistent policy signals.
- Advances affordability on both ends—more supply over time, and better stability for renters now.

Garrett County has established a public/private partnership housing initiative, Hemlock Grove, that is the first phase of Garrett County's broader attainable housing initiative. It comprises 72 single-family ownership units (a mix of detached homes and townhomes) priced substantially below prevailing regional market values, which reached \$328,000–\$429,000 in 2024. Public infrastructure funding has been secured to provide water, sewer, stormwater, roads, and essential facilities, expediting project timelines and reducing per-unit cost burdens.

Without this initiative and partnership, it would be impossible to provide attainable housing at \$189,000 for town homes and \$250,000 for a 3-bedroom single family home.

At its core, BAMBY improves certainty, increases efficiency, clarifies accountability, and empowers counties to more directly address Maryland’s affordable housing crisis. While no single bill is a silver bullet, BAMBY represents one of the most comprehensive, actionable approaches proposed to meet this moment. Counties stand ready to be strong partners in delivering more housing—quickly, responsibly, and in ways communities can sustain. For these reasons, Garrett County respectfully urges the Committee to issue a **FAVORABLE** report on the BAMBY Act.

On behalf of the Board,



Kevin G. Null
County Administrator



Senate Bill 267 - Building Affordably in My Back Y

Uploaded by: Carol Riley-Alexander

Position: FAV

THE BOARD OF GARRETT COUNTY COMMISSIONERS

203 South Fourth Street - Courthouse - Room 207 Oakland, Maryland 21550
www.garrettcounty.md.gov countycommissioners@garrettcounty.md.gov
301-334-8970 301-895-3188 FAX 301-334-5000

Board of Commissioners

Paul C. Edwards
Ryan S. Savage
S. Larry Tichnell

County Administrator

Kevin G. Null

County Attorney

Gorman E. Getty III

February 11, 2026

Senator Brian Feldman, Chair
Education, Energy, & the Environment Committee
2 West Miller Senate Office Building
Annapolis, Maryland 21401

RE: SUPPORT - Senate Bill 267, Land Use - Residential Housing - Oversight, Regulation, and Taxation (Building Affordably in My Back Yard Act)

Senator Feldman and members of the Committee:

The Board of County Commissioners of Garrett County **SUPPORTS** Senate Bill 267, Building Affordably in My Back Yard (BAMBY) Act.

This comprehensive, locally grounded package advances a balanced housing strategy: **empower counties to speed housing production, deploy practical market tools, align state actions with local realities, and pair growth with sensible renter protections.** Together, these four pillars will help Maryland deliver more homes—faster, at a lower cost—while protecting communities, infrastructure capacity, and household stability.

Maryland's housing shortage is constraining economic opportunity, driving up costs for families, and putting pressure on employers and public services. Counties are on the front lines of this challenge: approving projects, delivering the public services, and developing major infrastructure (schools, roads, water/wastewater). BAMBY recognizes this complex reality and offers a pragmatic path forward to increasing affordable housing in Maryland.

The BAMBY Act is an initiative of the Maryland Association of Counties – indicating its status as a priority for all 24 county jurisdictions – and accomplishes the following:

- Reduces friction in the local approval process and helps counties produce housing more efficiently and effectively.
- Uses smart market levers to reduce per-unit costs and expand the pipeline of feasible housing projects.
- Pairs local tools with state responsibility—because production depends on infrastructure, coordination, and consistent policy signals.
- Advances affordability on both ends—more supply over time, and better stability for renters now.

Garrett County has established a public/private partnership housing initiative, Hemlock Grove, that is the first phase of Garrett County's broader attainable housing initiative. It comprises 72 single-family ownership units (a mix of detached homes and townhomes) priced substantially below prevailing regional market values, which reached \$328,000–\$429,000 in 2024. Public infrastructure funding has been secured to provide water, sewer, stormwater, roads, and essential facilities, expediting project timelines and reducing per-unit cost burdens.

Without this initiative and partnership, it would be impossible to provide attainable housing at \$189,000 for town homes and \$250,000 for a 3-bedroom single family home.

At its core, BAMBY improves certainty, increases efficiency, clarifies accountability, and empowers counties to more directly address Maryland’s affordable housing crisis. While no single bill is a silver bullet, BAMBY represents one of the most comprehensive, actionable approaches proposed to meet this moment. Counties stand ready to be strong partners in delivering more housing—quickly, responsibly, and in ways communities can sustain. For these reasons, Garrett County respectfully urges the Committee to issue a **FAVORABLE** report on the BAMBY Act.

On behalf of the Board,



Kevin G. Null
County Administrator



SB267 FAV FCG CE LS26 .pdf

Uploaded by: Jessica Fitzwater

Position: FAV



FREDERICK COUNTY GOVERNMENT
OFFICE OF THE COUNTY EXECUTIVE

Jessica Fitzwater
County Executive

SB 267 – Building Affordably in My Back Yard Act

DATE: February 17, 2026
COMMITTEE: Senate Education, Energy, and the Environment Committee
POSITION: Favorable
FROM: The Office of Frederick County Executive Jessica Fitzwater

As the County Executive of Frederick County, I urge the committee to give SB 267, the Building Affordably in My Back Yard Act, a favorable report.

Throughout my administration, addressing the housing affordability crisis has been a top priority. As a member of the Maryland Association of Counties legislative committee, I am proud to support a comprehensive, locally grounded housing strategy that has been informed by planning, permitting, housing, finance, and policy staff of county governments across the state.

This bill empowers counties to speed housing production, deploy practical market tools, align state actions with local realities, and pair growth with sensible renter protections. Together, these four pillars will help Maryland deliver more homes—faster, at lower cost—while protecting infrastructure capacity and respecting local land use decisions. At its core, BAMBY improves certainty, increases efficiency, and empowers counties to more directly address Maryland’s affordable housing crisis.

Frederick County is Maryland's fastest-growing area, impacting housing cost and accessibility for both long-term residents and new neighbors. As a local leader, I know that addressing affordability will require all the tools available at all levels of government. Counties are on the front lines of housing production: approving projects, delivering public services, and developing major infrastructure (schools, roads, water/wastewater). BAMBY recognizes this complex reality and offers a pragmatic path forward to increasing affordable housing in Maryland.

For our part, Frederick County has invested heavily in using local tools to address housing affordability. During my time on the County Council and as County Executive, we have established a Housing Division, launched a Housing Needs Assessment and Strategic Plan, increased funding for our Housing Initiative Fund, initiated reforms for accessory dwelling units (ADUs) and moderately priced dwelling units (MPDUs) policies, and leveraged county programs such as the development impact fee exemption for affordable housing program (DIFEP), the payment in lieu of tax policy (PILOT), and the deferred loan program (DLP) to incentivize hundreds of new affordable units.

Thank you for your consideration of SB 267. I urge you to give SB 267 a favorable report.

Jessica Fitzwater, County Executive
Frederick County, MD

SB0267-EEE_MACo_SUP.pdf

Uploaded by: Michael Sanderson

Position: FAV



Senate Bill 267

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

MACo Position: **SUPPORT**

To: Education, Energy, & the Environment and
Budget & Taxation Committees

Date: February 17, 2026

From: Dominic J. Butchko and Michael Sanderson

The Maryland Association of Counties (MACo) **SUPPORTS** the Building Affordably in My Back Yard (BAMBY) Act. **This comprehensive, locally grounded package advances a balanced housing strategy: empower counties to speed housing production, deploy practical market tools, align state actions with local realities, and pair growth with sensible renter protections.** Together, these four pillars will help Maryland deliver more homes—faster, at lower cost—while protecting communities, infrastructure capacity, and household stability.

Maryland’s housing shortage is constraining economic opportunity, driving up costs for families, and putting pressure on employers and public services. Counties are on the front lines of this challenge: approving projects, delivering the public services, and developing major infrastructure (schools, roads, water/wastewater). BAMBY recognizes this complex reality and offers a pragmatic path forward to increasing affordable housing in Maryland.

Four Pillars of BAMBY

1) Land Use Tools That Produce Housing - BAMBY strengthens the local land-use toolkit so counties can move qualifying housing projects from concept to construction more efficiently and predictably. Key elements include:

- **Regulatory & Construction Certainty***
 - Approval/rejection based on regulations at the time of complete application submission.
 - Eliminate downzoning and compliance with new regulations for the period of a validly issued local permit.
- **Fast-Track Approval Pathways**
 - Upon a finding of an affordable housing shortage, enable counties to administratively review/approve applications to expedite final project approval.
- **Pre-Approved Permits & Design Guidelines**
 - Requires counties to adopt:
 - Clear design guidelines for affordable “qualified projects;” and
 - Approval process for standardized model home designs for specific projects.

** Administration, builders, and counties are actively negotiating*

Bottom line: BAMBY reduces friction in the local approval process and helps counties produce housing more efficiently and effectively.

2) Market Tools That Lower Costs And Unlock Supply - Housing costs are driven by financing risk, delays, and uncertainty. BAMBY includes pragmatic market-facing tools to improve project feasibility—especially for affordable and workforce units—such as:

- **Development-Friendly Payment Schedules***
 - Modify payment timing, with reasonable collection assurances, to support growth-related infrastructure.
- **Affordable Unit Tax Relief**
 - Authorizes counties that levy recordation, transfer, impact/excise taxes to adopt revenue-neutral, tiered brackets that reduce the burden on affordable units.
 - Directs Comptroller to study tax disincentives to down-sizing.
- **Prevent Corporate House Hoarding**
 - Establishes 30-day “right of first refusal” for homeowner purchasers.
 - Enables Counties to adopt:
 - Speculation Taxes on underused/stagnant properties;
 - Differential Tax Rates for corporate-owned residential properties; and
 - Special Transfer Tax for owner-occupied properties being sold for other use (similar to Ag transfer tax).

** Administration, builders, and counties are actively negotiating*

Bottom line: BAMBY uses smart market levers to reduce per-unit costs and expand the pipeline of feasible housing projects.

3) State Actions That Match State Housing Goals - Counties can accelerate approvals, but statewide housing goals require statewide follow-through. BAMBY aligns state actions with on-the-ground delivery by emphasizing:

- **State Agency Inefficiency & Delay**
 - Require State agencies’ evaluation of housing-related approval processes and identify opportunities for streamlining.
- **Insufficient Infrastructure As A Barrier To Approvals**
 - Assess Maryland’s current infrastructure for future development.
 - Suggest state and local actions to enhance infrastructure.

Bottom line: BAMBY pairs local tools with state responsibility—because production depends on infrastructure, coordination, and consistent policy signals.

4) Renter Protections That Support Stability - Maryland must pair increased supply with stability for the households living in today's market. BAMBY establishes a:

- **Responsible Owner Registry**
 - Establish a statewide registry of landlords for quick emergency contact and enforcement of health and safety standards.

Bottom line: BAMBY advances affordability on both ends—more supply over time, and better stability for renters now.

Attached are supplemental materials that more fully break down each section of the bill with page numbers, a summary of the policy prescription, a summary of the issue being addressed, and notes specific to that item.

At its core, BAMBY improves certainty, increases efficiency, clarifies accountability, and empowers counties to more directly address Maryland's affordable housing crisis. While no single bill is a silver bullet, BAMBY represents one of the most comprehensive, actionable approaches proposed to meet this moment. Counties stand ready to be strong partners in delivering more housing—quickly, responsibly, and in ways communities can sustain. For these reasons, MACo respectfully urges the Committee to issue a **FAVORABLE** report on the BAMBY Act.



REGULATORY & CONSTRUCTION CERTAINTY

- Approval/rejection based on regulations at the time of complete application
- Eliminate downzoning and compliance with new regulations for the period of a validly issued local permit

**Administration, builders, and counties are actively negotiating*

DEVELOPMENT-FRIENDLY PAYMENT SCHEDULES

- Create later payment timing, with reasonable collection assurances, to support growth-related infrastructure

**Administration, builders, and counties are actively negotiating*

FAST-TRACK APPROVAL PATHWAYS

- Upon a finding of an affordable housing shortage, enable counties to administratively review/approve applications to expedite final project approval

PRE-APPROVED PERMITS & DESIGN GUIDELINES

- Requires counties to adopt:
 - Clear design guidelines for affordable “qualified projects;” and
 - Approval process for standardized model home designs for specific projects

AFFORDABLE UNIT TAX RELIEF

- Authorizes counties that levy recordation, transfer, impact/excise taxes to adopt revenue-neutral, tiered brackets that reduce the burden on affordable units
- Directs Comptroller to study tax disincentives to down-sizing

PREVENT CORPORATE HOUSE HOARDING

- Establishes 30-day “right of first refusal” for homeowner purchasers
- Enables Counties to adopt:
 - Speculation Taxes on underused/stagnant properties
 - Differential Tax Rates for corporate-owned residential properties
 - Special Transfer Tax for owner-occupied properties being sold for other use (similar to Ag transfer tax)

RESPONSIBLE OWNER REGISTRY

- Establish a statewide registry of landlords for quick emergency contact and enforcement of health and safety standards

INSUFFICIENT INFRASTRUCTURE AS A BARRIER TO APPROVALS

- Assess Maryland's current infrastructure for future development
- Suggest state and local actions to enhance infrastructure

STATE AGENCY INEFFICIENCY & DELAY

- Require State agencies' evaluation of housing-related approval processes and identify opportunities for streamlining

SB 267 BAMBY Act Matrix
"Building Affordably in My Back Yard"

Policy	Page Numbers	Description	Notes
RESPONSIBLE OWNER REGISTRY	3	<p>Summary - Requires landlords in Maryland to file an annual certificate with the Department of Housing and Community Development identifying a sworn public contact, which DHCD must share with local governments upon request.</p> <p>Issue - Accurate ownership and contact information improves communication, strengthening housing and code enforcement—especially since owners currently are not required to keep contact information updated, which creates serious health and safety risks.</p>	
FAST-TRACK APPROVAL PATHWAYS	6	<p>Summary - Authorizes counties to create an administrative review process for most housing development decisions — reviews, approvals, etc. — while retaining final decision-making authority.</p> <p>Issue - Local governments are often criticized for slow project reviews; an administrative option would allow for streamlining, reducing delays, and allocating staff more efficiently while preserving oversight, public input, and local accountability.</p>	
REGULATORY & CONSTRUCTION CERTAINTY	8-11	<p>Summary - For counties with 150,000+ residents (excluding municipal populations) and all municipalities, defines when a residential or mixed-use application is “complete,” requires prompt completeness notice, and provides regulatory certainty by applying the laws in effect at submission for at least three years.</p> <p>Issue - Clear, consistent “complete application” standards improve predictability for developers, provide regulatory certainty, and help local governments manage reviews efficiently—balancing timely housing production with local oversight and public safety.</p>	<p><i>(administration, builders, & local governments are actively negotiating this item)</i></p> <p>Impacted Counties & Populations</p> <p>Anne Arundel - 561,554 Baltimore County - 854,425 Baltimore City - 568,271 Charles - 158,836 Frederick - 171,382 Harford - 221,446 Howard - 339,668 Montgomery - 904,258 Prince George's - 708,938</p>

SB 267 BAMBY Act Matrix
"Building Affordably in My Back Yard"

Policy	Page Numbers	Description	Notes
HOUSING PRODUCTION TARGETS	11-15	<p>Summary - *Retains the Governor's 2025 Housing Targets through 2030.* By January 1, 2031, and after each decennial census, requires the Governor to set statewide and local housing production targets (including for zoning municipalities), allows jurisdictions to propose justified alternatives, publishes final targets online, and mandates annual progress reporting through 2051.</p> <p>Issue - Housing production targets create a data-driven planning framework that aligns housing supply with demand while accounting for local conditions, giving jurisdictions flexibility and input while improving accountability and accelerating delivery to meet growth needs.</p>	
PROJECT DESIGN GUIDELINES FOR AFFORDABLE UNITS	16-17	<p>Summary - For counties with 150,000+ residents (excluding municipal populations) and all municipalities, by July 1, 2027, must adopt project design guidelines for qualified projects, addressing elements such as parking, height, setbacks, lot area, open space, circulation, landscaping, lighting, architecture, and signage.</p> <p>Issue - Local governments are often criticized for slow project reviews; design guidelines provide developers with clear guidance for applications, preserve community character, and maintain control over project quality and consistency.</p>	<p>Impacted Counties & Populations</p> <p>Anne Arundel - 561,554 Baltimore County - 854,425 Baltimore City - 568,271 Charles - 158,836 Frederick - 171,382 Harford - 221,446 Howard - 339,668 Montgomery - 904,258 Prince George's - 708,937</p>
PRE-APPROVED PERMIT APPLICATIONS	17	<p>Summary - For counties with 150,000+ residents (excluding municipal populations) and all municipalities, by July 1, 2027, must implement a pre-approval process for standardized model home designs so approved plans can be reused without redundant reviews—reducing permit timelines for production homes while maintaining code, zoning, and design compliance.</p> <p>Issue - Local governments are often criticized for slow project reviews; project specific preapproved designs allow for faster development.</p>	<p>Impacted Counties & Populations</p> <p>Anne Arundel - 561,554 Baltimore County - 854,425 Baltimore City - 568,271 Charles - 158,836 Frederick - 171,382 Harford - 221,446 Howard - 339,668 Montgomery - 904,258 Prince George's - 708,938</p>

SB 267 BAMBY Act Matrix
"Building Affordably in My Back Yard"

Policy	Page Numbers	Description	Notes
AFFORDABLE UNIT TAX RELIEF	18	<p>Summary - Enables a county to temporarily reduce or exempt housing-sensitive taxes/fees for qualified affordable housing projects when the county finds a housing shortfall, and to offset that reduction by increasing those taxes/fees on other (non-qualified) property classes.</p> <p>Issue - Many counties are authorized only use flat transfer and recordation tax rates that treat modest and high-value transactions the same, authorizing tiered rates allows counties to reduce costs on lower-priced homes while generating fairer revenue from higher-value sales in line with local housing and fiscal goals.</p>	
DEVELOPMENT FRIENDLY PAYMENT SCHEDULES	18-19	<p>Summary - For counties with 150,000+ residents (excluding municipal populations) and all municipalities, by July 1, 2027, clarifies that a county or municipality may require up to 50% of a residential (including mixed-use) development excise tax or impact fee at building permit issuance, with the remaining balance due before issuing a certificate of occupancy (or equivalent).</p> <p>Issue - Builders have indicated that earlier impact fee payments can complicate project financing; adjusting the payment schedule to require partial payment at building permit issuance and the balance before a use and occupancy permit would ease cash-flow pressure while preserving collection.</p>	<p><i>(administration, builders, & local governments are actively negotiating this)</i></p> <p>Impacted Counties & Populations</p> <p>Anne Arundel - 561,554 Baltimore County - 854,425 Baltimore City - 568,271 Charles - 158,836 Frederick - 171,382 Harford - 221,446 Howard - 339,668 Montgomery - 904,258 Prince George's - 708,938</p>
PRIORITIZE PRIMARY RESIDENCES	19-20	<p>Summary - Gives owner-occupant purchasers priority by limiting sellers, for the first 30 days a single-family home is listed, to accepting offers from buyers who intend to use the property as their primary residence. (Similar to HB751 of 2024)</p> <p>Issue - Maryland has seen an increasing trend of corporate buyers purchasing single-family homes for long-term rentals or short-term use, which can reduce for-sale inventory for residents, putting upward pressure on housing costs.</p>	

SB 267 BAMBY Act Matrix
"Building Affordably in My Back Yard"

Policy	Page Numbers	Description	Notes
PROMOTE HOMEOWNERSHIP	20-21	<p>Summary - Upon a finding of a housing shortfall, a county may impose an additional transfer tax of up to 5% when owner-occupied property is transferred and will no longer be owner-occupied.</p> <p>Issue - As more residential properties are held as investments, second homes, or short-term rentals rather than primary residences, housing supply for full-time residents tightens, increasing housing costs for communities.</p>	Modeled after Maryland's existing ag transfer tax.
MOBILIZE GROWTH AREAS	P21, L21 - 33; P23, L25-34	<p>Summary - Authorizes counties to establish an annual tax in priority funding areas that applies to residential or mixed-use-zoned properties are not being developed to permitted uses or densities, with revenue dedicated to affordable housing, school construction, or other housing-related purposes.</p> <p>Issue - In many communities, speculative holding keeps growth-areas underutilized, constraining buildable supply and driving up housing costs even as counties face rising affordable housing and school infrastructure needs without sufficient tools to respond.</p>	
PREVENT CORPORATE HOUSE HOARDING	P22, L1-18; P24, L1-15	<p>Summary - Authorizes counties to create a special property subclass for non-principal residence homes owned by large-scale owners (20+ properties), excluding units rented at affordable rates or subject to affordability covenants or subsidies.</p> <p>Issue - In many communities, growing concentration of housing stock in large investor portfolios is putting upward pressure on prices and, in some cases, contributing to more aggressive eviction practices.</p>	

SB 267 BAMBY Act Matrix
"Building Affordably in My Back Yard"

Policy	Page Numbers	Description	Notes
REPORT ON DOWNSIZING DISINCENTIVES	P24, L16-26	<p>Summary - By December 31, 2027, requires the Comptroller to report to the Governor and General Assembly on state tax policy options to better encourage homeowners —particularly older adults— to downsize or move to more affordable homes.</p> <p>Issue - A major factor affecting affordability is tax structures that discourage homeowners from downsizing later in life; reducing those barriers can make downsizing less financially burdensome and support more housing market turnover that helps free up supply.</p>	
REPORT ON HOUSING INFRASTRUCTURE	P24, L27 - P27, L30	<p>Summary - Requires the Maryland Department of Planning to publish a comprehensive statewide assessment of how water, sewer, schools, and transportation infrastructure supports or constrains housing development in Maryland.</p> <p>Issue - The report is intended to align infrastructure capacity with housing needs by identifying constraints and gaps and recommending actionable strategies for state and local governments to support sustainable, efficient, and equitable housing growth.</p>	
STREAMLINE OF STATE PROCEDURES	P28, L1 - P30, L11	<p>Summary - Requires state agencies to review and streamline housing-related processes, regulations, and approvals—prioritizing qualified projects and evaluating delegation to local governments—with initial agency reports due July 2027 and a consolidated public report, coordinated by the Maryland Department of Planning, due December 2027.</p> <p>Issue - Inefficient state processes can delay development, this provision aims to streamline and expedite state-level housing approvals by reducing barriers and creating faster pathways for priority projects.</p>	

2026Feb13 Support SB 267 BAMBY.pdf

Uploaded by: Pam Meister

Position: FAV

Board of County Commissioners

Joseph A. Vigliotti, President
Michael R. Guerin, Vice President
Thomas S. Gordon III
Kenneth A. Kiler
Susan W. Krebs



Carroll County Government

225 North Center Street
Westminster, Maryland 21157
410-386-2043; 1-888-302-8978
fax 410-386-2485
MD Relay 711/800-735-2258

February 13, 2026

Senator Brian Feldman
Chair, Senate Education, Energy, and Environment Committee
2 West Miller Senate Office Building
Annapolis, Maryland 21401

Senator Guy Guzzone
Chair, Senate Budget & Taxation Committee
3 West Miller Senate Office Building
Annapolis, Maryland 21401

RE: SUPPORT - Senate Bill 267: The Building Affordably in My Back Yard (BAMBY) Act

Dear Chairs Feldman and Guzzone and Members of the Senate Education, Energy, and Environment and Budget and Taxation Committees,

The Carroll County Board of Commissioners (BOARD) writes in support of **Senate Bill 267: The Building Affordably in My Back Yard (BAMBY) Act** and its intent to expand housing opportunities across Maryland by equipping local governments with practical tools and flexibility to respond to housing demand.

The Board supports responsible efforts to increase housing supply and improve affordability. BAMBY advances those goals by strengthening the ability of counties and municipalities to make housing happen on the ground—where land use decisions intersect with infrastructure, schools, public safety, and the delivery of essential services. This approach recognizes an important reality: local governments are not obstacles to housing; they are primary implementers, partners, and problem-solvers in delivering it. Achieving true affordability remains challenging when residential development must comply with multiple state requirements administered by different agencies, such as the Maryland Department of the Environment and the Maryland Department of Planning. While each of these agency's mandates may serve an important public purpose, improved coordination among state agencies is needed to reduce or eliminate duplicative, conflicting, and overly burdensome requirements.

The cumulative impact of competing state priorities can significantly increase development costs and contribute to delays, ultimately making housing less affordable. Greater alignment of state priorities and more predictable regulatory processes would better support local implementation and improve the ability to deliver affordable housing efficiently.

The Board appreciates the bill's focus on empowering counties with additional options and local choice to meet community needs. By emphasizing pragmatic, locally deployable tools, BAMBY helps reduce friction in the development process, supports clearer implementation, and improves the likelihood that more housing, especially attainable for working families and seniors, can be produced efficiently and in the right places.

BAMBY is a balanced approach to meeting the challenges facing the state and to that end, the Board urges the committee to give Senate Bill 267 a favorable report.

Thank you for your consideration.

Sincerely,

THE BOARD OF COUNTY COMMISSIONERS OF CARROLL COUNTY



Joseph A. Vigliotti
President



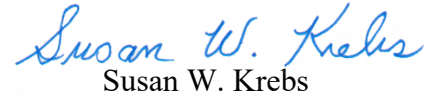
Michael R. Guerin
Vice President



Thomas S. Gordon III



Kenneth A. Kiler



Susan W. Krebs

SB 267 Letter of Support - Guy.pdf

Uploaded by: Randy Guy

Position: FAV

Senate Bill 267

Land Use - Residential Housing

Oversight, Regulation, and Taxation (Building Affordably in My Back Yard Act)

To: Education, Energy, & the Environment and Budget & Taxation Committees
From: James Randy Guy, Commissioner President, St. Mary's County
Date: February 17, 2026
Position: SUPPORT

I humbly ask the Education, Energy, and the Environment and Budget & Taxation Committees to SUPPORT the Building Affordably in My Back Yard (BAMBY) Act.

This comprehensive, locally grounded package advances a balanced housing strategy: **empower counties to speed housing production, deploy practical market tools, align state actions with local realities, and pair growth with sensible renter protections.** Together, these four pillars will help Maryland deliver more homes—faster, at lower cost—while protecting communities, infrastructure capacity, and household stability.

Maryland's housing shortage is constraining economic opportunity, driving up costs for families, and putting pressure on employers and public services. Counties are on the front lines of this challenge: approving projects, delivering the public services, and developing major infrastructure (schools, roads, water/wastewater). BAMBY recognizes this complex reality and offers a pragmatic path forward to increasing affordable housing in Maryland.

This legislation is an initiative of the Maryland Association of Counties and accomplishes the following:

- Reduces friction in the local approval process and helps counties produce housing more efficiently and effectively.
- Uses smart market levers to reduce per-unit costs and expand the pipeline of feasible housing projects
- Pairs local tools with state responsibility—because production depends on infrastructure, coordination, and consistent policy signals.
- Advances affordability on both ends—more supply over time, and better stability for renters now.

In my own county, the median home sale over the last year has been as high as \$469,900. Unaffordable housing simultaneously hampers St. Mary's County's ability to attract and retain the best and brightest to move here and prices out those who grew up in the County only to discover they cannot afford to stay.

At its core, BAMBY improves certainty, increases efficiency, clarifies accountability, and empowers counties to more directly address Maryland's affordable housing crisis. No single bill is a silver bullet. But BAMBY is one of the most comprehensive, actionable approaches proposed to meet this moment. I respectfully urge the Committee to issue a **FAVORABLE** report on the BAMBY Act.

Sincerely,

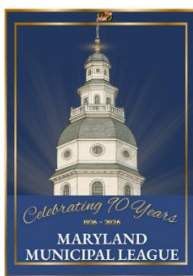
/s/James Randy Guy

James Randy Guy
Commissioner President, St. Mary's County

SB 267 - FWA - MML.pdf

Uploaded by: Angelica Bailey Thupari

Position: FWA



TESTIMONY

COMMITTEE: Senate Education, Energy, and the Environment

DATE: February 17, 2026

POSITION: Favorable with Amendments

BILL: SB 267

The Maryland Municipal League supports SB 267 as a comprehensive and solution-oriented housing bill advanced by local governments. The Build Affordably in My Backyard (BAMBY) Act reflects a deliberate effort to promote residential production, enhance affordability, and provide regulatory certainty while preserving essential local implementation tools. For several years, local governments have heard the call to bring forward constructive housing solutions. This bill does exactly that.

Strengthening Housing Production Infrastructure

SB 267 establishes clear administrative review processes for residential and mixed-use development applications, creates predictable timelines, and provides regulatory stability through the regulatory and construction certainty provisions applicable to complete applications. These provisions improve certainty for applicants while reducing administrative strain on local staff.

The bill also formalizes preapproval pathways for standardized model home designs and requires adoption of design guidelines for qualified affordable housing projects. These measures streamline permitting and reduce redundant reviews without eliminating local design authority.

Importantly, the legislation affirms existing local authority over zoning tools such as ADUs, inclusionary zoning programs, and housing expansion strategies. It does not diminish existing municipal land use authority.

Housing Production Targets Technical Amendment

MML supports the bill's concept of statewide housing production targets and the accountability framework. However, we respectfully request refinement to the methodology used to calculate municipal targets. The current formula relies solely on a municipality's proportional share of existing county housing stock based on 2023 five-year American Community Survey (ACS) data. That methodology assumes future growth will mirror historical distribution patterns. In practice, growth capacity depends on infrastructure availability, redevelopment potential, fiscal conditions, and long-range planning goals. Our amendment would allow municipalities to propose alternative, data supported targets when appropriate, preserving the statewide framework while ensuring that goals remain realistic and infrastructure informed.

Affordable Dwelling Unit Standard Technical Clarification

We also request clarification regarding the 60% Area Median Income (AMI) threshold and related design guideline requirements. Some municipalities already operate inclusionary programs with affordability bands

Municipalities are home to 25% of Maryland's population while occupying less than 5% of the State's land area.

ranging from 50-80% of AMI. Mandating additional design standards tied to a specific affordability threshold may unintentionally duplicate or conflict with existing zoning regulations, which are designed to protect public health, safety, and welfare and apply uniformly within a zoning district. Our proposed amendment ensures that affordable housing standards integrate with rather than override or duplicate established local zoning frameworks.

Regulatory and Construction Certainty Administrative Clarification

MML supports the intent of the regulatory and construction certainty provisions, which are designed to provide predictability once a complete application has been filed and approved. However, we respectfully request additional clarity regarding certain administrative aspects of implementation. Specifically, municipalities would benefit from clearer guidance regarding the definition of a complete application, the scope of standards subject to the freeze, and the interaction between final approval and subsequent permit level reviews. We are working directly with the Maryland Association of Counties (MACo) to develop clarifying language that maintains the bill's core purpose while ensuring consistent and workable implementation across jurisdictions of varying size and capacity.

SB 267 represents a significant and constructive housing framework. It promotes regulatory clarity, enhances transparency, aligns housing production with infrastructure planning, and preserves meaningful local authority. Our amendments are narrow and technical and are intended to strengthen implementation without altering the bill's core pro housing objectives. We have already been working closely with MACo on these amendment concepts and greatly appreciate our local government partners for putting forward a proactive, solutions driven approach to housing policy. For these reasons, the Maryland Municipal League respectfully requests a favorable report with amendments.

For more information relating to this piece of testimony, please contact:

Angelica Bailey Thupari: Director, Advocacy and Public Policy, angelicab@mdmunicipal.org

SB267_City of Gaithersburg_SWA.pdf

Uploaded by: Therese Hessler

Position: FWA



February 13, 2026

Senate Education, Energy & Environment Committee and Senate Budget & Taxation Committee

Bill: Senate Bill 267 – Land Use - Residential Housing - Oversight, Regulation, and Taxation (Building Affordably in My Back Yard Act)

Position: Support with Amendments

Dear Members of the Senate Education, Energy & Environment Committee and Senate Budget & Taxation Committee,

Senate Bill 267 proposes a series of statewide reforms intended to accelerate housing production, standardize permitting timelines, establish housing production targets, and expand incentives for affordable housing development. The City of Gaithersburg supports the bill's overarching goal of increasing housing supply and affordability but respectfully requests targeted amendments to ensure local land use authority, practical implementation, and regulatory clarity.

City of Gaithersburg expresses the following concerns and requested amendments:

1. Local Determination of Housing Shortage (§7–106)

The bill does not clearly specify who determines whether a shortage of affordable housing exists.

Determining housing shortages should remain a local jurisdiction decision. Local governments are best positioned to evaluate housing conditions based on infrastructure capacity, zoning, development pipelines, and community needs.

Requested Amendment:

Clarify that any determination of an affordable housing shortage is made by the local jurisdiction, not imposed at the State level.

2. Definition of Complete Application (§12–101)

The definition of a “complete application” includes the word “substantive,” which introduces ambiguity.

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2038
301-258-6300 • FAX 301-948-6149 • cityhall@gaithersburgmd.gov • gaithersburgmd.gov

MAYOR
Jud Ashman

COUNCIL MEMBERS
Neil Harris
Lisa Henderson
Yamil Hernández
Jim McNulty
Robert Wu

CITY MANAGER
Tanisha R. Briley

Applications should be considered complete only when all required materials are submitted. Allowing partial or “substantive” submissions undermines effective review and creates uncertainty.

Requested Amendment:

Remove the word “substantive” and clarify that a complete application must contain all information required for processing and review.

3. Application Timelines (§12–202)

The bill establishes a 30-day determination period for application completeness without accounting for complexity or clarity on time calculation. Additionally:

- The 30-day period is arbitrary and does not reflect the realities of complex applications.
- The bill does not specify whether the timeline refers to calendar days or business days.
- Requiring the City to provide a full list of deficiencies and a timeline for curing them is unworkable, as correction timelines depend on developer resources and schedules beyond the City’s control.

Requested Amendments:

- Clarify whether timelines are calendar or business days.
- Remove the requirement that municipalities provide a timeline for curing deficiencies.
- Allow flexibility for complex applications requiring additional coordination or review.

4. Regulatory Freeze (§12–202)

The bill freezes zoning laws for three years once an application is deemed complete.

The City generally supports not changing zoning rules mid-review. However, the bill does not address changes that may occur between review phases (e.g., preliminary to final site plan).

Requested Amendments:

- Limit the zoning freeze to final site plan review and approval, not all development review stages.
- Add language clarifying that amendments to approved site plans are reviewed under the zoning laws in effect at the time the amendment is submitted, not the original application date.

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2038
301-258-6300 • FAX 301-948-6149 • cityhall@gaithersburgmd.gov • gaithersburgmd.gov

MAYOR
Jud Ashman

COUNCIL MEMBERS
Neil Harris
Lisa Henderson
Yamil Hernández
Jim McNulty
Robert Wu

CITY MANAGER
Tanisha R. Briley

5. Housing Production Targets (§12–301)

The bill establishes state-imposed housing production targets based on proportional shares of existing county housing stock.

Local jurisdictions are best positioned to set realistic and achievable housing goals. The current methodology assumes future growth will mirror past development patterns, which may not reflect infrastructure capacity, land availability, or redevelopment constraints.

- The State methodology assigns the City 7% of the County’s target, assuming continued proportional growth.
- A local Camoin analysis projects the City will need approximately 2,100 total housing units by 2040, while the State target requires 2,266 additional units in just five years (2026–2030) — a significantly different projection.

Requested Amendment:

Eliminate state-imposed housing production targets and allow local jurisdictions to establish their own housing goals.

6. Affordable Dwelling Unit Standard (§12–401)

The bill defines affordability at 60% AMI, below the City’s existing MPDU standard of 50–80% AMI.

- The proposed threshold conflicts with existing local affordability programs.
- Mandated design guidelines for projects below 60% AMI (parking, height, setbacks) are duplicative of zoning regulations, which already exist to protect health, safety, and welfare and should apply uniformly regardless of affordability level.

Requested Amendments:

- Allow local affordability standards to prevail where they already exist.
- Remove duplicative design mandates and rely on existing zoning regulations.

The City notes that it already has a model home permit process for production builders and has no concerns with that provision.

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2038
301-258-6300 • FAX 301-948-6149 • cityhall@gaithersburgmd.gov • gaithersburgmd.gov

MAYOR
Jud Ashman

COUNCIL MEMBERS
Neil Harris
Lisa Henderson
Yamil Hernández
Jim McNulty
Robert Wu

CITY MANAGER
Tanisha R. Briley

7. Special Tax Rates (§6–202.1)

The bill authorizes increased tax rates on vacant or underutilized land. While incentivizing development is important, higher taxes may disproportionately impact property owners with limited resources or those facing unforeseen circumstances that delay development.

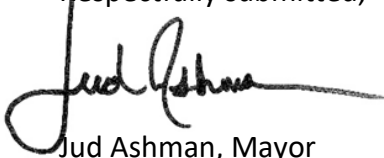
Requested Amendment:

Add safeguards or flexibility to prevent unintended hardship on vulnerable property owners.

In conclusion, The City of Gaithersburg supports the intent of Senate Bill 267 to promote housing development and affordability. With the targeted amendments outlined above, the bill can better balance statewide housing goals with local expertise, land use authority, and practical implementation realities.

The City respectfully urges the Committee to adopt these amendments and advance a balanced, workable approach to housing policy.

Respectfully submitted,



Jud Ashman, Mayor
City of Gaithersburg

GGWash Comments on SB 267, BAMBY Act.pdf

Uploaded by: Dan Reed

Position: UNF



Chair Brian Feldman
and Members, Education, Energy, and the Environment Committee
2 West, Miller Senate Office Building
Annapolis, Maryland 21401

February 17, 2026

Senate Bill 267 – BAMBY Act – Unfavorable


Dear Chair Feldman and Members of the Education, Energy, and the Environment Committee:

My name is Dan Reed and I serve as the Maryland Policy Director for Greater Greater Washington, a nonprofit that supports better housing, land use, and transportation policies throughout Greater Washington and beyond. **GGWash opposes SB 267, the BAMBY Act.**

It is well-known by now that Maryland has a housing crisis. We are short 100,000 homes, home prices have risen by double digits in the past few years, and Marylanders are leaving for other, more affordable states. Last month, [we commissioned a poll](#) that found that 92% of Marylanders believe high housing costs are a problem.

Home prices are rising because we aren't building enough homes, in part due to restrictive zoning and permitting rules set by local governments. Voters have told us they support the many proposals before the General Assembly this session to change these rules. They include allowing homes to be built in commercial zones; making it easier to build smaller home types like duplexes and townhomes; and reducing the minimum lot size for a new home.

States such as Oregon and Texas made these changes so they can meaningfully reduce home prices and give hard-working families more choices within their budget. They all require that states set common zoning standards for local governments that prevent them from adding arbitrary barriers to building approvals. The BAMBY Act falls short of this. It essentially says that local governments can make changes that might streamline housing approvals, while allowing them to add requirements that could slow that process down.

The Washington, DC region is great  and it can be greater.



Our housing crisis is a big challenge that requires big solutions. We do not believe the BAMBY Act rises to the occasion, and we ask the Education, Energy, and the Environment Committee for an unfavorable report.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Reed". The signature is fluid and cursive, with the first name "Dan" and the last name "Reed" clearly distinguishable.

Dan Reed
Maryland Policy Director

MDCC_SB 276_Unfavorable.pdf

Uploaded by: Grason Wiggins

Position: UNF



Senate Bill 276

Position: Unfavorable

Committee: Education, Energy, and the Environment

Date: February 17, 2026

Founded in 1968, the Maryland Chamber of Commerce is the leading voice for business in Maryland. We are a statewide coalition of more than 7,000 members and federated partners working to develop and promote strong public policy that ensures sustained economic recovery and growth for Maryland businesses, employees, and families.

Senate Bill 276 (SB 276) imposes complex administrative requirements and authorizes discretionary tax and fee increases that pose significant risks to housing development and the broader Maryland economy.

SB 267's added complexity, fees, and taxes will divert resources away from actual construction, delay project delivery, and ultimately reduce the number of housing units brought to market. SB 267 authorizes local governments to adjust taxes and development fees in ways that could substantially increase costs for projects that do not meet "affordable housing" criteria. This includes development impact fees and excise taxes, which can be levied or increased on private projects, without predictable caps. Additionally, SB 267 allows for property tax adjustments, including creating subclasses of properties that may face higher tax rates if they do not fall under affordable housing classifications.

SB 267's combination of new financial obligations and administrative delays creates a high degree of financial uncertainty, which will discourage investment in residential development. In fact, developers may be forced to pass costs on to homebuyers or renters, undermining the goal of improving housing affordability. **For these reasons, the Maryland Chamber respectfully requests an unfavorable report on SB 267.**

SB 267 - BAMBY - UNF - REALTORS.pdf

Uploaded by: Lisa May

Position: UNF



Senate Bill 267 - Land Use - Residential Housing - Oversight, Regulation, and Taxation (Building Affordably in My Back Yard Act)

Position: Oppose

On behalf of Maryland's REALTORS® and the homeowners, buyers, and sellers we represent across the State, we strongly urge an unfavorable report on Senate Bill 267, the "Building Affordably in My Back Yard Act."

While the bill is framed as a housing affordability measure, its practical effect is to expand local taxing authority, increase transaction costs, and shift additional financial burdens onto Maryland homeowners and home buyers.

At a time when affordability is already strained by elevated interest rates, insurance premiums, and existing property taxes, this legislation moves Maryland further in the wrong direction and will only speed the exodus of our workforce to surrounding states.

REALTORS® see the following as non-negotiable items:

Imposing Multiple Tax Increases on Housing

The most significant concern with SB 267 is its authorization for counties to increase so-called "housing-sensitive" taxes and fees when a housing shortfall is identified. Rather than reducing the cost of housing, the bill gives local governments new mechanisms to raise revenue directly from housing transactions and property ownership.

Most notably, the bill authorizes counties to impose an additional transfer tax of up to 5 percent on the sale of an owner-occupied home if the property will not remain owner-occupied after transfer. For the median Maryland home, currently valued at \$431,000, this could mean an additional **\$21,000 in transaction taxes at closing**. In real-world transactions, transfer and recordation taxes are often negotiated between the parties, meaning both buyers and sellers would feel the impact. Sellers would walk away with less equity, which they need to finance their next home purchase, their retirements, or to build generational wealth.

The legislation also permits local governments to create special subclasses of property subject to higher tax rates, including certain non-owner-occupied residential properties and underutilized land in Priority Funding Areas. This is particularly insidious in instances where the reason the property has not been developed is due to state or local permitting delays, building moratoria, or adequate public facilities lockout periods. In short, under this policy, a local government could delay a project on one hand, while extracting higher taxes from the property they will not allow to be developed on the other.

Whatever the policy intent, expanding the authority to impose higher property tax rates inevitably increases the cost of owning and investing in housing. Those costs do not disappear—they are reflected in higher rents, higher sales prices, and reduced housing supply over time.

The bottom line is that housing affordability cannot be achieved by raising taxes and fees on housing solely to enrich local governments.

Creating Winners and Losers in the Housing Market

SB 267 provides potential tax and fee reductions for “Qualified Affordable Housing Projects,” defined narrowly as projects in which at least 25 percent of units are deed-restricted for 40 years at 60 percent or less of Area Median Income. At the same time, it allows local governments to increase taxes and fees on projects that do not meet that definition.

This structure effectively creates a two-tier system. A limited subset of highly restricted and regulated projects may receive financial relief, while the vast majority of housing—starter homes, workforce housing, move-up homes, and small-scale developments—remain subject to increased costs.

Maryland’s housing shortage spans a broad range of income levels. Policies that concentrate benefits in one narrow category while increasing costs elsewhere risk distorting the market without meaningfully expanding overall affordability.

Undermining Property Rights and Home Equity

The bill’s 30-day “lockout” provision represents a significant intrusion into private property rights. For the first 30 days that a single-family home is on the market, sellers may accept offers only from individuals, nonprofits, community organizations, or real estate enterprises owning less than 3 percent of residential property in the county.

This 3 percent ownership threshold raises significant practical and legal questions that remain unanswered. The bill does not clearly establish when that threshold is measured or how compliance is to be verified. Is the ownership threshold determined at the time the property is listed? At the time an offer is submitted? At contract ratification? Or at closing?

Ownership portfolios can change rapidly. An entity that is below the 3 percent threshold when an offer is written could exceed it before settlement. Conversely, an entity above the threshold could divest properties and fall below it during the transaction period. The bill provides no clear compliance point, creating uncertainty and potential liability for sellers.

Equally troubling is the question of how a typical home seller, REALTOR[®], or title company would determine whether a purchaser meets this definition. There is no centralized, real-time database that tracks cumulative residential ownership by an entity across a county. Many investors hold properties through limited liability companies or layered ownership structures. Determining beneficial ownership often requires reviewing corporate filings, operating agreements, or membership interests that are not publicly accessible.

Would sellers be expected to demand sworn affidavits from purchasers? Conduct independent investigations into affiliated entities? Rely on representations in a contract? What level of due diligence would be considered sufficient to avoid penalties? The bill does not establish a verification mechanism, safe harbor provision, or state-administered certification process.

In practice, this ambiguity places an unreasonable burden on ordinary homeowners attempting to sell their property. Sellers and their agents are not forensic accountants or corporate investigators. Without a clear, enforceable standard and verification process, this provision invites confusion, delayed transactions, disputes at closing, and potential litigation—all of which increase costs and undermine market stability.

Further, homeowners should retain the ability to evaluate and accept the best offer for their property, regardless of the source of that offer. In certain circumstances—such as when a home requires repairs, must be sold quickly, or is part of an estate—investor purchasers may provide the most viable or timely option. Limiting who may make an offer reduces competition and suppresses sale prices. For many Maryland families, home equity represents their largest source of accumulated wealth. Public policy should not artificially restrict the marketplace in a way that diminishes that asset.

If the General Assembly intends to regulate institutional ownership, the compliance burden should not fall on individual Maryland homeowners navigating one of the most significant financial transactions of their lives. Legislation introduced in 2025 and this session has made progress in this area; yet the bill's authors specifically chose earlier versions of this legislation – ones that specifically target current Maryland property owners and were repeatedly rejected by the General Assembly. Other than protecting their own self-interest, we must question why that was the approach taken by local governments.

Missed Opportunity on Developer Impact Fees

SB 267 also allows local governments to require up to 50 percent of development excise taxes or impact fees to be paid as a condition of obtaining a building permit, with the remainder due before issuance of a certificate of occupancy. Under current Maryland practice, developers are typically required to pay the entirety of these impact fees upfront.

While reducing the upfront payment to 50 percent represents an improvement over the status quo, this still forces builders to finance substantial sums for extended periods before homes can be delivered to market. Developers often carry these costs for years while projects move through permitting, construction, and sales. The financing expenses associated with these prepaid fees increase overall project costs and risk.

Importantly, other legislation under consideration by the General Assembly would provide more meaningful relief—reducing upfront financial burdens to a greater degree, lowering risk to builders, and delivering more significant cost savings to home buyers.

Regardless of whether the requirement is 100 percent or 50 percent upfront, these costs are not absorbed by the development community. They are built into the final price of new homes. When government increases—or accelerates—the cost to build, the ultimate result is higher home prices for Maryland families.

What's Missing: Real Housing Supply Reform

Mandating higher production while simultaneously authorizing higher housing-related taxes creates conflicting signals. Meaningful supply reform requires reducing barriers and lowering costs—not expanding revenue mechanisms tied to housing, which is the entire basis of this legislation.

Maryland REALTORS® has been on record for many years in staunch support of policies that increase housing supply, streamline approvals, and expand attainable homeownership opportunities. However, Senate Bill 267 does none of these things.

Instead, it authorizes higher transfer taxes, enables new property tax subclasses, accelerates development fee collections, and restricts who may purchase homes. The practical effect of these provisions is clear: they raise costs for homeowners, home buyers, and home sellers for the sole purpose of expanding county revenues.

Housing affordability cannot be achieved by taxing housing more heavily. For these reasons, we urge an unfavorable report on Senate Bill 267.

**For more information contact
lisa.may@mdrealtor.org or christa.mcgee@mdrealtor.org**

MBIA Letter of Opposition SB 267.pdf

Uploaded by: Lori Graf

Position: UNF

February 13th, 2026

The Honorable Brian J. Feldman
Chair, Senate Education, Energy and the Environment Committee
2 West Miller Senate Office Building
Annapolis, Maryland 21401

RE: MBIA Letter of Opposition SB 267 Land Use – Residential Housing – Oversight, Regulation, and Taxation (Building Affordably in My Back Yard Act)

Dear Chair Feldman,

The Maryland Building Industry Association, representing 100,000 employees of the building industry across the State of Maryland, appreciates the opportunity to participate in the discussion surrounding **SB 267 Land Use – Residential Housing – Oversight, Regulation, and Taxation (Building Affordably in My Back Yard Act)**.

While we are in support of the intent of the bill, which is to build more affordable housing and to make housing more affordable in Maryland, MBIA would like to address several concerns we have with SB 267.

This bill applies to counties with a population of at least 150,000 residents not including any residents of a municipal corporation within the county. This language severely limits the number of jurisdictions that are covered by the bill in an arbitrary way. Many of Maryland's larger counties have multiple incorporated towns that need more affordable housing, and they will not be included in the scope of the bill. Development should take place in certain areas based on market demand and not be limited by regulation or based on municipal boundaries.

MBIA is also concerned that the 3-year regulatory certainty window is not long enough to complete a project. For most multi-family, mixed-use, or affordable housing projects, 3 years is simply not enough time to complete design and get approvals, secure financing, construct the units, etc. The types of development projects that this bill is seeking to expand often take at least 5 to 10 years from application to completion. This means that the regulatory certainty granted under this bill will disappear mid-project for affordable projects. In practice, this makes the regulatory certainty in this bill become meaningless.

For the first 30 days that a property is offered, sellers will only be able to accept offers from an individual, a community development organization, a nonprofit organization, or a real estate enterprise that owns an interest in less than 3% of all residential real property located within the county in which the property is located. This part of the bill will significantly reduce the pool of qualified buyers and interferes directly with the open housing market. In Maryland, Builders often develop build-to-rent townhouse communities that are extremely affordable for working class families. Rent prices in a build-to-rent

townhouse or single-family home are lower than a mortgage payment on a comparable new home. By limiting the pool of available buyers, it will lead to lower land values and fewer viable projects. There is also a segment of Maryland's population that do not want the transactional cost of owning a home, but do not want to live in an apartment. This product type provides that balance.

The bill also allows a county to implement a transfer tax of up to 5% on rental and non-owner-occupied properties if a county finds that there is a shortfall in total housing units or a class of affordable housing units. This part of the bill is vague and does not clearly define what qualifies as "affordable housing units." The transfer tax is also counterproductive to the intention of the bill to make housing more affordable and available to Marylanders. This tax raises acquisition costs for rental housing that will always get passed directly on to tenants through higher rents.

The bill also allows jurisdictions to set a special tax rate for undeveloped, underutilized or vacant land that is zoned for residential or mixed-use development. Developers often buy land and hold it for months or even years while waiting for permits, rezoning approvals, or favorable market conditions. A high, special tax rate on these types of land increases the monthly cost of holding that land and creates less investment opportunities. While the intent of this special tax is to prevent indefinite holds on land, it punishes developers that are active in the by increasing the financial risk and cash flow requirements of holding land during the pre-development phase, a part of the process that is usually lengthy.

For these reasons, MBIA respectfully requests the Committee give this measure a unfavorable report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Members of the Senate Education, Energy, and the Environment Committee

SB 267 - Build Affordably in My Back Yard Act (BAM

Uploaded by: Robert Cassilly

Position: UNF

ROBERT G. CASSILLY
Harford County Executive



ROBERT S. McCORD
Director of Administration

February 12, 2026

The Honorable Brian Feldman
Chair, Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, Maryland 21401

RE: Letter of Opposition on SB 267 – “Land Use - Residential Housing - Oversight, Regulation, and Taxation (Building Affordably in My Back Yard Act)”

Dear Chair and Members of the Committee,

I am writing on behalf of Harford County to respectfully express our opposition to Senate Bill 267, the Building Affordably in My Back Yard Act.

Harford County acknowledges the critical need for increased housing supply and affordability across Maryland. We share the goal of ensuring residents have access to safe, attainable, and diverse housing options. However, SB 267 advances this objective in a manner that would significantly erode local land use authority, diminish the ability of counties to plan responsibly, and impose a one-size-fits-all framework that does not account for unique local circumstances.

Local governments are on the front lines of planning and land development. We are intimately familiar with our community’s needs, infrastructure capacity, environmental constraints, and growth patterns. Our comprehensive plans and land use regulations reflect years of public engagement, studies, and careful consideration of the adequacy of transportation networks, public safety, schools, water and sewer capacity, and fiscal sustainability. SB 267, as currently drafted, would narrow local discretion and potentially preempt local standards in ways that undermine this locally informed process that is critical to the health and sustainable growth of our county.

Of particular concern is the bill’s authorization of standardized administrative review processes and its encouragement of regulatory frameworks that limit local flexibility. While predictability in permitting is a laudable goal, it cannot come at the expense of a county’s ability to manage its own growth and safeguard the public interest. Local approval processes are structured to balance housing production with infrastructure readiness and community character, informed by local residents and stakeholders.

Harford County Celebrates 250 Years ~ 1773-2023

410.638.3350 | 410.879.2000 | 220 South Main Street, Bel Air, Maryland 21014 | www.harfordcountymd.gov

THIS DOCUMENT IS AVAILABLE IN ALTERNATIVE FORMAT UPON REQUEST

The Honorable Brian Feldman

February 12, 2026

Page 2

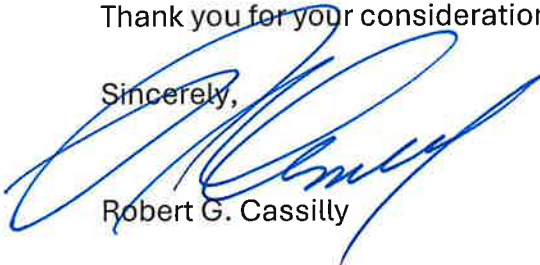
Additionally, mandates for state housing production targets and stability guarantees for developers, without corresponding support or resources for local governments to implement and manage these requirements, will shift burdens and costs from developers to counties without clear offsets. Harford County already faces significant demands to upgrade infrastructure, expand public services, and maintain roadways due to growth pressures. Placing additional unfunded administrative requirements on local governments exacerbates these challenges.

Counties are committed to advancing housing solutions, including supporting affordable and workforce housing initiatives, updating zoning to encourage diverse housing types, and leveraging public-private partnerships. These strategies are most effective when developed and implemented at the local level, in collaboration with stakeholders and in alignment with comprehensive plans.

For these reasons, Harford County respectfully urges the Committee to oppose SB 267 as currently drafted. We recommend that any statewide housing reform legislation preserve meaningful local control and provide appropriate resources and flexibility to support counties in meeting housing needs without undermining local planning authority.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Robert G. Cassilly', is written over the typed name.

Robert G. Cassilly

SB 267 - MACo Housing Bill - NAIOP Testimony Lette

Uploaded by: Tom Ballentine

Position: UNF



February 13, 2026

The Honorable Brian J. Feldman, Chair
Senate Education, Energy, and the Environment Committee
2 West Senate Office Building
Annapolis, Maryland 21401

The Honorable, Guy Guzzone, Chair
Senate Budget and Taxation Committee
3 West Miller Senate Office Building,
Annapolis, Maryland 21401

Unfavorable: SB 267 – Land Use – Residential Housing – Oversight , Regulation and Taxation

Dear Chair, Feldman, Chair Guzzone, and Committee Members:

The NAIOP Maryland Chapters represent approximately 700 companies involved in all aspects of commercial, industrial, and mixed-use real estate. On behalf of our member companies, I am writing to recommend your unfavorable report on SB 267.

While we appreciate the intent to address the critical issue of affordable housing in Maryland, we have significant concerns about the consequences of the taxes proposed in this legislation and the lack of attention in the bill to increasing development capacity in local jurisdictions. Our position is based, in part, on the following rationale:

- **Housing Production Targets Will Not Create Development Capacity** – The bill proposes publishing non-binding housing production targets for the state and each local jurisdiction. There is no requirement for local jurisdictions to alter their comprehensive plans and zoning regulations to provide development capacity sufficient to meet those targets. Without requirements that local governments increase development capacity, it is unlikely that any significant progress toward the published targets will be achieved.
- **Higher Taxes and Fees Will Not Incentivize New Development** – The bill authorizes numerous new taxes and fees as well authority to set higher rates on existing taxes based on land value, improvement status, ownership, and other factors. Taxes and fees mainly affect home prices not the quantity of homes or rate of housing production. The main barriers to housing production in Maryland’s local jurisdictions are the lack of land zoned for development and limitations on permitted zoning density.

For these reasons, NAIOP respectfully recommends your unfavorable report on SB 267.

Sincerely,

Tom Ballentine, Vice President for Policy
NAIOP – Maryland Chapters, *The Association for Commercial Real Estate*

cc: Education, Energy, and the Environment Committee Members
Budget and Taxation Committee Members
Nick Manis – Manis, Canning Assoc.

Reason Foundation

Uploaded by: Aubri Strachan

Position: INFO

Comments on Senate Bill 267: Permitting Reform

Prepared for: Members of the Maryland General Assembly

Prepared by: Eliza Terziev, Policy Analyst

Date: February 17, 2026



Dear members of the Maryland General Assembly,

My name is Eliza Terziev, and I serve as a policy analyst for Reason Foundation’s Land Use and Housing Policy Team. Reason Foundation is a nonpartisan, nonprofit think tank dedicated to advancing free minds and free markets through research and policy analysis. Our housing and land use policy team provides research and technical assistance to lawmakers nationwide on zoning reform, permitting modernization, and housing affordability.

We share the same goals as the sponsors: streamlining the development process and advancing affordable housing in Maryland. Regulatory requirements account for about [25%](#) of the cost of new housing nationwide, and Maryland ranks as the sixth most regulated state in this area. The provisions in SB 267, namely creating standardized permitting and design expectations, would advance progress towards reducing the financial burden of regulation for new housing development.

Streamlining the approval process

By requiring counties with over 150,000 residents to create clear review standards and confirm application completeness within 30 days of submission, SB 267 is establishing regulatory certainty in these areas. Further, by locking in applicable land use and development standards at the time the application is verified complete, for up to three years unless extended, developers can confidently take on new projects without fear of additional costs or delays.

Having a clear timeline and understanding of the regulatory landscape reduces the risks associated with planning and executing a new development project. At a time of housing shortages and rising prices in Maryland, creating clearer and more efficient pathways to build is a vital step toward expanding the state’s housing supply without state funding or market intervention.

Housing production goals

Creating housing production goals at all levels of government can encourage housing production, but should be done carefully. The rules for residential development are typically made and



enforced on the local level, and unfortunately, this is where many of the regulatory bottlenecks are. Having clear housing goals at the state level can help hold local governments accountable for maintaining development-friendly and property-rights-focused laws, which sometimes receive backlash at the local level.

That said, the state should avoid becoming overly focused on setting housing production targets at the expense of advancing meaningful, housing-friendly reforms and responding to local needs. While goals can provide direction, real progress depends on maintaining a clear and predictable regulatory environment that allows housing of all types to move forward. When that framework is in place, the market is best positioned to determine where and how much housing is needed.

Any production target system should be carefully calibrated to encourage local action without creating unnecessary bureaucracy.

Clear design standards

Establishing clear project design guidelines for affordable housing is another vital step toward a predictable and operationally efficient regulatory landscape. Creating a pre-approval permit application specifically for standardized model home designs and eliminating redundant plan reviews can help Maryland shorten the permitting timeline and get families into homes more efficiently.

Again, these efforts to streamline permitting and housing production will actively address the state's affordable housing shortage and price pressure.

Policy adaptation for Maryland:

SB 267 offers a balanced approach to addressing Maryland's housing shortage. By improving the permitting process and orienting local governments to prioritize housing production, this bill strategically targets bottlenecks and reduces unnecessary procedural barriers.

We respectfully urge the General Assembly to advance SB 267 to ensure that Maryland can foster a development-friendly environment and meet the growing housing needs of its residents in a timely manner.

Thank you for your consideration.

Respectfully submitted,
Eliza Terziev
Policy Analyst
Reason Foundation
eliza.terziev@reason.org



SB267 INFO BAMBY.pdf

Uploaded by: Hugo Cantu

Position: INFO



Bill: SB 267 - Land Use - Residential Housing - Oversight, Regulation, and Taxation (Building Affordably in My Back Yard Act)

Committee: Education, Energy, and the Environment

Date: February 17, 2026

Position: Informational

The Apartment and Office Building Association (AOBA) of Metropolitan Washington is a non-profit trade association representing the owners and managers of more than 23 million square feet of commercial office space and 167,000 apartment rental units in Montgomery and Prince George's counties. AOBA submits the following testimony on Senate Bill 267.

AOBA members support any proposal that will increase the production of housing. We thank the bill's sponsor and proponents for their engagement. However, SB 267 requires residential properties to file an annual disclosure of their contacts. As a reminder, multi-family properties are professionally managed; therefore, these contacts can be found through online resources specific to the property or the management company website. The disclosure language found on page 3, lines 16 through 26, will be redundant for our members.

AOBA requests that multi-family properties be excluded from the disclosure requirements so as not to add undue burden to multi-family properties.

(B) (1) AT LEAST ONCE PER YEAR, EACH ENTITY THAT OWNS RESIDENTIAL REAL PROPERTY, EXCLUDING MULTI-FAMILY PROPERTIES, IN THE STATE SHALL FILE WITH THE DEPARTMENT A CERTIFICATE DISCLOSING THE CORRECT CONTACT INFORMATION FOR A REPRESENTATIVE OF THE ENTITY WHO HAS THE AUTHORITY TO COMMUNICATE WITH THE PUBLIC ABOUT THE ENTITY.

For these reasons, AOBA requests that this amendment be added to Senate Bill 267. Please contact Hugo Cantu at hcantu@aoba-metro.org with any questions or concerns.

SB0267_DHCD_INFO.pdf

Uploaded by: Jake Day

Position: INFO

DATE: February 17, 2026

BILL NO.: Senate Bill 267

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

COMMITTEE: Senate Education, Energy, and the Environment Committee

Letter of Information

Description of Bill:

Senate Bill 267 would:

- Require corporate owners of residential real property in the state to provide contact information to the Department of Housing and Community Development and require DHCD to provide this information to local jurisdictions upon request;
- Authorize local jurisdictions, upon a finding of a shortage of affordable housing in the jurisdiction, to establish an administrative review process for approval of housing development projects;
- Require municipalities and certain counties to establish schedules and procedures for evaluation of housing development project applications and prohibit those jurisdictions and the state from imposing new development standards on or downzoning approved projects during the period of approval;
- Require the Governor or his designee to, in consultation with local jurisdictions, establish housing production targets for the state and each county and municipality therein by January 1, 2031 and following each U.S. Census through 2051;
- Require municipalities and certain counties to adopt project design guidelines for qualified affordable housing projects and implement a pre-approval building permit application process for standardized model home designs;
- Allow certain counties to establish reduced housing-sensitive tax rates and fees for qualified affordable housing projects;
- Require municipalities and certain counties to defer the collection of at least half of the amount of a development excise tax or impact fee imposed on residential units until after the completion of construction;
- Prohibit sellers of improved single-family residential real property from accepting offers from large corporate entities within the first 30 days after offering the property for sale;
- Authorize counties to, upon a finding that the county has a shortfall in housing units, impose a special transfer tax rate on the transfer of certain residential property from owner-occupied to non-owner-occupied;
- Authorize counties and Baltimore City to establish a special tax rate on certain residential property located in Priority Funding Areas to discourage speculative landholding and to promote development and require that special tax revenue be used for certain purposes related to school and housing construction;
- Require the Comptroller, in consultation with SDAT, to evaluate and report to the Governor and General Assembly on potential changes to state tax policies to reduce disincentives to older homeowners to downsize or transition to more affordable housing;
- Require the Department of Planning to conduct a study and publish a report on how infrastructure systems support or constrain housing development in Maryland; and

- Require certain state agencies and executive departments to conduct a comprehensive review of any internal process that impacts permitting, review, funding or development of housing in the State.

Background and Analysis:

Several elements of Senate Bill 267 have significant overlap with other bills currently before the General Assembly as well as Governor Moore’s Housing Starts Here Executive Order of September 2025. Specifically, the provisions of the bill requiring certain local jurisdictions to establish schedules and procedures for evaluation of housing development project applications and prohibiting those jurisdictions from imposing new development standards during the approval process, as well as the provisions requiring municipalities and larger counties to partially defer collection of development excise taxes and impact fees, have significant overlap with SB 325/HB 548 (the Housing Certainty Act, sponsored by Senator Augustine/Delegate Behler). Notably, Senate Bill 267’s version of the “early vesting” provisions limit their application to counties with higher populations and limit “vesting” to the period of approval set by the jurisdiction, rather than the 5-year period envisioned in the Housing Certainty Act. The Housing Certainty Act’s impact fee/excise tax deferral provisions apply to all jurisdictions, and require deferral of the full fee or tax until after construction is complete.

Additionally, the requirement for the state to set housing targets in coordination with local jurisdictions overlaps with the Housing Starts Here executive order’s requirement for the Department of Housing and Community Development to establish housing targets for the state and each county and municipality therein every five years, beginning January 1, 2026. While there are some differences between the two targets mandates, a statutory requirement for the State to set housing targets would be redundant with the existing executive order. The requirement for certain State executive agencies to review and evaluate internal procedures relating to review, funding of development of housing in the State also overlaps with the Housing Starts Here’s mandate for agencies that issue permits related to housing development to develop updated and accelerated permitting procedures and timelines, including digitization of permit application processes. Agencies such as MDOT and MDE have already submitted these revised procedures and updated permitting timelines per the order.

Requiring corporate owners of residential real property in the State to register contact information with DHCD (and requiring DHCD to provide this information to local jurisdictions upon request) would create a significant administrative (and likely budgetary) burden on the Department.

Authorizing local jurisdictions to establish an administrative review process for housing development projects under certain circumstances and requiring some jurisdictions to adopt design guidelines for qualified projects and standardized designs would likely be positive steps toward accelerating housing production, but the impact of those provisions would likely be limited.

The authorization to set special property tax rates and adjust transfer and recordation taxes, and the prohibition against homeowners accepting offers from large corporate landlords or real estate speculators within the first 30 days of the home being on the market are intended to disincentivize the transfer of single-family homes from owner-occupied to non-owner-occupied status, and to encourage the development of owner-occupied housing. The potential impact of these measures on Maryland’s housing supply and housing market is unclear.

Finally, the requirements for studies/reports on state tax policies and infrastructure will likely create significant staffing and administrative burdens for the agencies subject to those requirements.



MDE SB 267 INF.pdf

Uploaded by: Jeremy D Baker

Position: INFO



**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.

Letter of Information

Uploaded by: Nina Themelis

Position: INFO



BRANDON M. SCOTT
MAYOR

*Office of Government Relations
88 State Circle
Annapolis, Maryland 21401*

SB 0267

February 17, 2026

TO: Members of the Education, Energy and the Environment Committee

FROM: Nina Themelis, Director of Mayor's Office of Government Relations

RE: Senate Bill SB 267 Land Use - Residential Housing - Oversight, Regulation, and Taxation (Building Affordably in My Back Yard Act)

POSITION: LOI

Chair Feldman, Vice Chair Kagan and members of the committee, please be advised that the Baltimore City Administration (BCA) is submitting the following **Letter of Information** on Senate Bill (SB) 267.

In its current form SB 0267 would address 15 distinct areas of the development landscape in order to promote the creation of additional affordable housing throughout the State. The proposed changes are related to oversight, regulation and taxation, and seek to create uniformity and expediency through new guidelines and timelines.

The intent is to address the affordable housing shortage by taking a multi-faceted approach. SB 267 covers a wide range of topics, some of which BCA can support, like the creation of a State landlord registry. The registry would require landlords in Maryland to file an annual certificate with the Department of Housing and Community Development identifying a sworn public contact, which DHCD must share with local governments upon request. Baltimore City already has a local registry requirement but still struggles to connect with certain property owners from time to time. A statewide system might help with that.

The BCA opposes regulating permit approvals at the State level and instead favors local data driven solutions to fast-tracking approval pathways. Baltimore is already working diligently to make improvements to our existing permitting system to make all permits process as quickly as possible. As an example, the median number of days to issue a residential permit went from 3 days in October of 2025 to 2 days in January of 2026 based off system improvements during that time. We move reviews and permits as quickly as possible, no matter the type of project. A fast-track process for certain projects could create equity concerns. Additionally, this Bill would require adjustments to our permitting and tracking system to hold approvals open for up to three years. In Baltimore, the vast majority of permits are for 6 months, large projects are issued for 12-24 months. Permit extensions can be filed 30 days prior to expiration up to 90 days after expiration. We

generally do not limit the number of extensions as long as there is progress. There are some cases where we have denied extensions because there is no work in progress and the property has become a nuisance as defined by City laws and regulations.

It is difficult to estimate what system changes might be needed, and the cost. Finally, regulatory and construction certainty is not a major problem in Baltimore City, we are not moving the goal post on developers or projects, we are working together to try to streamline and improve the process.

The BCA opposes pre-approved permit applications. We are undertaking our own efforts to fast-track approval pathways. The BCA is in the process of standing up the Bmore FAST Initiative (Facilitating Approvals and Streamlining Timelines) which represents a comprehensive modernization of how Baltimore handles development approvals. This initiative aims to make Baltimore one of the most efficient cities in America for development, while maintaining our commitment to safety and community interests, particularly in those neighborhoods that have faced intentional historic disinvestment. Recent upgrades to the City's permitting system aim to escalate the pace of all permits.

The BCA opposes Housing Production Targets. Baltimore has a very permissive zoning code and there's no shortage of opportunity for development. We acknowledge the need and usefulness of data driven decision making but also recognize the impact of market conditions beyond local or State control.

Baltimore is not the target jurisdiction of this Bill and there is no need for project design guidelines for affordable units, § 12-403, this would prohibit local jurisdictions from Qualified Affordable Housing Projects having any of the typical zoning controls applied (Max heights, setbacks, lot area, open space, landscaping, etc.). There is no reason for the State to control local development guidelines in Baltimore City as we are already a favorable location for expansion.

We support the intent of SB 267, but given it is a statewide piece of legislation, it does not consider many issues within the City of Baltimore and therefore would not be the best fit for the City. Baltimore is already reducing barriers to development and doesn't believe that the totality of directives contained within this Bill will significantly help expedite the production of affordable housing projects and could potentially disrupt work already in progress. The BCA supports the idea of creating additional affordable housing units however the Bill is quite broad and may have unintended consequences in the aim to override local jurisdictions' review processes.

For these reasons, the BCA respectfully requests consideration of this **Letter of Information** on SB 0267.

SB0267 - LOI - SHA - Land Use - Residential Housin

Uploaded by: Patricia Westervelt

Position: INFO

February 17, 2026

The Honorable Brian J. Feldman
Chair, Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, MD 21401

RE: Letter of Information – Senate Bill 267 – Land Use – Residential House – Oversight, Regulation, and Taxation (Building Affordably in My Back Yard)

Dear Chair Feldman and Committee Members:

The Maryland Department of Transportation State Highway Administration (SHA) offers the following letter of information for the Committee’s consideration of Senate Bill 267.

SB 267 establishes certain policies and processes to facilitate the development of affordable residential housing in the State and, generally, relates to the oversight, regulation, development, and taxation of residential real estate.

Section Four of the bill requires Maryland Department of Planning (MDP) to consult with the Maryland Department of Transportation (MDOT) on a reporting requirement relating to housing development growth impact on transportation infrastructure. Further, Section Five requires MDOT to conduct a comprehensive internal review of processes, procedures, policies, or approval requirements impacting the permitting, review, funding, or development of housing. MDOT would also be required to coordinate with other departments to align reforms and reduce redundant reviews. An interim report is due to the Governor and Maryland General Assembly (MGA) by December 31, 2026, and a final report is due to the MDP by July 1, 2027.

It is expected that SHA would be primarily responsible for the implementation of Sections Four and Five as SHA is responsible under Maryland law and the Code of Maryland Regulations to protect public safety and roadway infrastructure investments by requiring access permits for entrances to roadways, requiring improvements, and imposing conditions to mitigate adverse impacts to roadway safety and function. This includes access management and permitting for residential developments along state highways.

SHA notes that the requirements in Sections Four and Five of SB 267 largely replicate the efforts already being implemented as required by the Governor’s Executive Order 01.01.2025.19 (Addressing Maryland's Affordable Housing Crisis). SHA has worked closely with local, regional, and state partners to advance improvements to access management and the permitting process. This includes developing an optional expedited third-party review process for residential developments that enables developers to pay for the expedited review of their permit applications, traffic impact study, plan review, and issuance of approved permit. This process is currently being piloted and is anticipated to be available for all residential developments in Spring 2026.

The Honorable Brian J. Feldman
Page Two

The SHA would be happy to share the November 2025 and January 2026 reports submitted to the Governor's Office as required by EO 01.01.2025.19 with the committee for reference into SHA's investment and support to advance Maryland's affordable housing and residential development goals.

The Maryland Department of Transportation respectfully requests the Committee consider this information during their deliberations of Senate Bill 267.

Respectfully submitted,

April Moeller
Director
Office of Government Affairs
Maryland State Highway Administration
410-210-5780

Matthew Mickler
Director
Office of Government Affairs
Maryland Department of Transportation
410-865-1090

INFO_SB267_EEE.pdf

Uploaded by: Reuben Collins

Position: INFO



CHARLES COUNTY COMMISSIONERS

Reuben B. Collins, II, Esq., *President*
Ralph E. Patterson, II, M.A., *Vice President*
Gilbert O. Bowling, III
Thomasina O. Coates, M.S.
Amanda M. Stewart, Ed.D.

Deborah E. Hall, CPA
Acting County Administrator

February 17, 2026

RE: Letter of Information for SENATE BILL 267 - Land Use - Residential Housing - Oversight, Regulation, and Taxation (Building Affordably in My Back Yard Act)

Dear Members of the Senate Education, Energy, and the Environment Committee:

On behalf of the Charles County Board of County Commissioners, I write to provide local perspective and information to the Education, Energy, and the Environment Committee concerning Senate Bill 267, which proposes to alter existing local authority over certain land use and zoning matters. Local control of land use and zoning in Maryland has deep roots in the State's commitment to home-rule and community self-determination. While the State authorizes zoning through enabling legislation, Maryland has long placed primary responsibility for land-use decisions in the hands of counties and municipalities. This framework reflects the understanding that land-use issues are inherently local, shaped by distinct histories, geographies, economies, and civic priorities. Over time, local zoning authority has become a central tool for managing growth, protecting environmental and historic resources, coordinating infrastructure, and balancing private property rights with the public interest. The importance of local control in Maryland lies in its flexibility and responsiveness, allowing communities to adapt state policy goals to local conditions while giving residents a direct voice in shaping the places where they live and work.

We understand that the Maryland Association of Counties (MACo) sponsored SB 267 to address legitimate concerns regarding affordability, while limiting the extent of preemption of local land use decisions. Unfortunately, it still overrides local governments' existing authority in several key areas. In this vein, Charles County still contends that land use and zoning decisions only work when local residents and local decision makers are able to respond to unique, local needs and desires.

It is important that the legislature preserves local land use and zoning authority for individual jurisdictions to adequately manage infrastructure, keep up with growth, respond to community concerns and vision, and maintain a fiscally constrained budget. It is also important to mention that the Maryland Department of Housing and Community Development has published a 2030 Housing Production Target for Charles County which is 5,516 units. With a 10-year average of 822 new residential units per year (including 1,178 in 2025) and an additional 200-300 units per year within our municipalities, Charles County is on target to meet the published DHCD target without state intervention in applicable regulations. Charles County is managing growth responsibly and effectively, while also meeting state targets. *Should this bill be found favorable, we urge the Senate to exempt counties already meeting the DHCD housing targets, as they are meeting their prescribed contribution of new housing units without undue fiscal impact.*

We recognize the intent of this bill is to encourage and streamline residential housing development across Maryland. It is important to note that an area that causes the greatest lag in local regulatory approvals is in meeting the State's stormwater regulations that are mandated to be administered by the counties. We believe that enhanced cooperation between the State and local regulatory agencies, and more flexibility in reaching the State performance goals, would spur a greater impact on the pace of housing creation than the rigid processes currently in place.

Charles County respectfully urges the General Assembly to carefully consider the impact of this proposal on local governments that are already planning for, and accommodating, growth in a responsible and transparent manner. Preserving local land-use and zoning authority is essential to ensuring that development aligns with community vision, infrastructure capacity, fiscal sustainability, and meaningful public participation. We remain committed to meeting Maryland's housing goals and supporting affordability, but firmly believe these objectives are best achieved through collaboration and partnership, not state preemption. We ask the Legislature to continue to respect and uphold the long-standing principle of local control in land-use decision-making.

**COUNTY COMMISSIONERS OF
CHARLES COUNTY, MARYLAND**



Reuben B. Collins, II, Esq., President



Ralph E. Patterson, II, M.A.
Vice President



Gilbert O. Bowling, III



Thomasina O. Coates, M.S.



Amanda M. Stewart, Ed.D.

cc: Charles County Delegation