

HB 1259_FAV_MFN.pdf

Uploaded by: Beth Morrow

Position: FAV



**Testimony Concerning HB 1259
“Zoning Authorities – Operation of Family Child Care Homes – Prohibitions
And Requirements”
Submitted to the Senate Education, Energy, and the Environment Committee
April 2, 2026**

Position: Support

Maryland Family Network (MFN) strongly supports HB 1259, which would ensure the operation of a family child care program is considered a residential permitted activity and prohibit local jurisdictions from limiting the number of children in a program below the number authorized by the State.

MFN has worked since 1945 to improve the availability and quality of child care and early childhood education as well as other supports for children and families in Maryland. We have been active in state and federal debates on child care policy and are strongly committed to ensuring that children, along with their parents, have access to high-quality, affordable programs and educational opportunities.

A family child care home is typically operated by a provider in her own residence. The provider undergoes background checks, a prescribed course of training, and safety inspections prior to being licensed. Group size cannot exceed eight children, with no more than two children under age 2. Family child care homes are regulated by Maryland State Department of Education’s Office of Child Care.

Family child care is an important community asset. Sometimes, however, restrictions in leases, Home Owners Association covenants, and local zoning laws have forced family child care providers to close or move. This is bad for the provider’s business, and it significantly limits families’ access to child care in their own neighborhoods. These restrictions are often based on misunderstandings about what family child care is.

Registered family child care is an important part of Maryland's child care delivery system. MFN respectfully urges favorable consideration of HB 1259.

Submitted by Beth Morrow, Director of Public Policy

HB 1259 Testimony MSCCA Senate April 4 EEE pdf.pdf

Uploaded by: Christina Peusch

Position: FAV



**Caring For Maryland's Most
Important Natural Resource™**

Maryland State Child Care Association

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Annapolis, Md. 21403
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Email: info@mscca.org
www.mscca.org

The Maryland State Child Care Association (MSCCA) is a non-profit, statewide, professional association incorporated in 1984 to promote the growth and development of child care and learning centers in Maryland. MSCCA has over five thousand members working in the field of child care/early childhood education. We believe children are our most important natural resource and work hard to advocate for children, families and for professionalism within the early childhood community.

Testimony in Support of HB 1259

Zoning Authorities – Operation of Family Child Care Homes – Prohibitions and Requirements

Submitted to: Education, Energy, and Environment Committee

April 4, 2026

Chair, Vice Chair, and Members of the Committee:

Maryland State Child Care Association is in strong support of House Bill 1259, legislation that provides critical and long-overdue protection for family child care homes and large family child care homes across Maryland.

Child Care Is in Crisis—Family Child Care Is Essential Maryland is facing a serious decline in child care availability, particularly among family child care providers, who serve as the backbone of our early childhood system. These providers offer safe, licensed, community-based care that allows parents—especially working mothers and fathers—to participate in the workforce. Child care is the workforce behind the workforce.

When child care disappears, parents are forced to reduce work hours, leave jobs entirely, or turn down employment opportunities—hurting families, employers, and the broader economy.

HB 1259 rightly ensures that local jurisdictions may not deny or restrict the operation of family child care homes that meet state licensing requirements. Providers who are fully licensed by the Maryland State Department of Education should not face punitive, inconsistent, or arbitrary zoning restrictions simply because they operate from their homes.

This bill:

- Prevents local governments from imposing child-capacity limits below state authorization
- Prohibits the denial or restriction of licensed family child care homes
- Requires these homes to be treated as a residential activity and a permitted residential use

These protections are not radical, they are reasonable, fair, and necessary. Family child care providers are small, home-based businesses that already meet rigorous health, safety, and licensing standards.

Additional zoning barriers do not improve safety; they only:

- Reduce child care supply
- Increase costs for families
- Force providers out of business
- Push child care into unregulated or informal settings

HB 1259 promotes smart regulation, not over-regulation—ensuring oversight remains where it belongs: at the state licensing level.

Child care is both an economic and equity issue. Family child care homes often serve:

- Infants and toddlers
- Non-traditional work schedules
- Diverse and underserved communities
- Families who need care close to home

When these providers are blocked by zoning laws, the harm falls disproportionately on working families, women, and communities of color. Supporting family child care strengthens not only our economy, but the social fabric of our neighborhoods.

HB 1259 sends a clear message: Maryland values families, children, and the providers who make work possible. By removing unnecessary zoning barriers and affirming family child care as permitted residential use, this bill:

- Supports working parents
- Stabilizes the child care sector
- Strengthens local economies
- Upholds fairness and consistency statewide

For these reasons, MSCCA urges a Favorable Report on HB 1259. Thank you for your time, leadership, and commitment to Maryland's families.

HB 1259_Zoning Authorities-Operation of Family Chi

Uploaded by: Hannah Allen

Position: FAV



House Bill 1259

Position: Favorable

Committee: Education, Energy, and the Environment

Date: April 2, 2026

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

House Bill 1259 (HB 1259) makes clarifying changes to existing law to ensure that local zoning authorities may not impose additional prohibitions or requirements that restrict the operation of licensed family child care homes beyond those established by the State.

Last year, the Chamber supported HB 785, which removed barriers that prevented family child care homes from operating in certain communities and helped expand access to child care across Maryland. HB 1259 makes important clarifications to ensure the law is implemented as intended. By reinforcing the original policy adopted by the General Assembly in 2025, this bill helps avoid unintended restrictions that could limit the availability of family child care homes.

Increasing access to reliable and affordable child care remains critical to supporting Maryland's workforce and the employers who rely on it. Family child care homes play an important role in addressing child care shortages and providing flexible care options for working families. Ensuring the law is clear and consistently applied will help maintain and expand these important services.

For these reasons, the Maryland Chamber of Commerce respectfully requests a **favorable report** on HB 1259.

HB1259 - State Board & MSDE - Support - 4.2.26.doc

Uploaded by: Stefan Redding-Lallinger

Position: FAV

TO: Senate Education, Energy, and the Environment Committee

BILL: House Bill (HB) 1259 - Zoning Authorities - Operation of Family Child Care Homes - Prohibitions and Requirements

DATE: March 5, 2026

POSITION: Support

The Maryland State Department of Education (MSDE) is providing information regarding House Bill (HB) 1259 - Zoning Authorities - Operation of Family Child Care Homes - Prohibitions and Requirements, which proposes to prohibit local zoning jurisdictions from denying or restricting the operation of certain family child care homes when those homes meet the licensing requirements established by MSDE. HB 1259 would also require zoning authorities to classify these family child care homes as a residential activity and a permitted use.

Across the country, the supply of child care programs has fallen sharply since the COVID-19 pandemic, creating persistent gaps in access for working families. In response, states and their partners have been working to stabilize and rebuild the sector, recognizing that a stronger child care market is foundational to economic recovery. A larger, more reliable supply of child care directly boosts workforce participation, supports employers, strengthens state revenues, and helps sustain small businesses, many of which are child care providers themselves.

MSDE is committed to advancing policies that meaningfully strengthen Maryland's child care system. HB 1259 aims to expand child care supply without creating fiscal impacts for the agency and, therefore, represents a responsible and highly valuable path forward. Measures of this kind help remove barriers for providers, increase access for families, and support Maryland's workforce and economy while respecting the state's budget constraints.

A similar effort, [HB 785](#) (2025), also known as *Common Ownership Communities and Zoning Authorities – Operation of Family Child Care Homes – Limitations*, was enacted in 2025. MSDE supported that legislation; however, implementation has presented challenges as State and local entities worked to interpret and operationalize the new requirements. Because MSDE's Division of Early Childhood Licensing Branch relies on local zoning determinations as part of the licensing process, differences in interpretation and local readiness created delays in some cases.

HB 1259 seeks to address these implementation gaps by clarifying expectations for local zoning authorities. Specifically, the bill prohibits zoning jurisdictions from denying or restricting certain family child care homes that meet licensing requirements and requires that these programs be treated as permitted residential uses. As with the 2025 legislation, the State Board and MSDE support the goal of reducing barriers to family child

care and improving clarity in the approval process.

HB 1259 will require coordination among local zoning authorities and MSDE to ensure that eligible family child care homes are treated as permitted residential uses. Because MSDE relies on local zoning determinations as part of the licensing process, effective implementation will depend on clear alignment between State and local entities. Absent consistent application at the local level, licensing timelines could remain impacted, potentially continuing the challenges the bill seeks to address. For this reason, MSDE encourages continued collaboration with zoning jurisdictions across Maryland to clarify expectations and support smooth, consistent implementation prior to enactment.

The State Board and MSDE request that the committee consider this information as it deliberates **HB 1259**. For further information, please contact Laurel Cratsley, Interim Executive Director of Government Affairs, at Laurel.Cratsley@maryland.gov.

HB1259-EEE_MACo_SWA.pdf

Uploaded by: Dominic Butchko

Position: FWA



House Bill 1259

Zoning Authorities - Operation of Family Child Care Homes - Prohibitions and Requirements

MACo Position: **SUPPORT**
WITH AMENDMENTS

To: Education, Energy and the Environment
Committee

Date: April 2, 2026

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS** HB 1259 **WITH AMENDMENTS**. This bill limits local jurisdictions' ability to regulate the siting of family child care homes and large family child care homes within residential neighborhoods.

Counties recognize and strongly share the urgency of expanding child care capacity. Affordable, reliable child care is essential for Maryland families' day-to-day stability, and it is also a key workforce and economic development driver for employers deciding where to locate, expand, and hire.

However, as drafted, HB 1259 could allow an unlimited number of family child care homes or large family child care homes to locate within a single neighborhood, without meaningful consideration of neighborhood-scale infrastructure constraints. While counties recognize the State Department of Education's oversight role for family child care homes, that authority does not extend to managing localized impacts on surrounding streets and public facilities. Under the bill, multiple homes serving as many as 12 children each could locate on the same street, without any review of issues such as parking congestion during drop-off and pick-up, traffic and street capacity, or emergency vehicle access during high-volume periods. Counties suggest a more reasonable middle ground.

The county amendments offered on the following page are intended to preserve the bill's purpose, expanding child care options, while retaining limited local flexibility to address serious, demonstrable infrastructure and public safety concerns where they arise.

For these reasons, MACo urges the Committee to issue a report of **FAVORABLE WITH AMENDMENTS** on HB 1259 (*amendments follow on the next page*).

MACo Amendments for HB 1259:

Amendment #1 – Clarifies that the bill’s provisions apply only when a family child care home or large family child care home is located at least 0.25 miles from another such home. This allows counties to better manage neighborhood impacts while still supporting expanded access to child care.

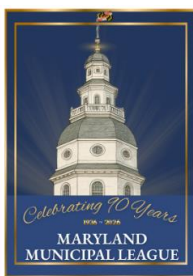
On page 2, in line 18 after “**EDUCATION**”, insert,

AND IS AT LEAST .25 MILES FROM THE NEAREST FAMILY CHILD CARE HOME OR LARGE FAMILY CHILD CARE HOME.

HB 1259 CF - UNF - MML.pdf

Uploaded by: Angelica Bailey Thupari

Position: UNF



TESTIMONY

COMMITTEE: Senate Education, Energy, and the Environment

DATE: April 2, 2026

POSITION: Unfavorable

BILL: House Bill 1259

Municipalities recognize the critical importance of expanding access to affordable, high-quality child care. Family child care homes play a valuable role in serving working families and supporting local economies. Many municipalities already permit these uses in residential areas and work collaboratively with providers to ensure they can operate successfully within neighborhood settings.

However, HB 1259 would significantly narrow local zoning authority by prohibiting local jurisdictions from denying or restricting the operation of family child care homes and large family child care homes that meet State licensing requirements. The bill requires local jurisdictions to designate these operations as residential activities and permitted uses in residential zones and prevents municipalities from imposing standards that differ from State thresholds, including capacity limits.

Zoning authority is one of the core tools municipalities use to manage land use compatibility, density, traffic flow, parking, and neighborhood character. While State licensing addresses health, safety, and programmatic standards, it does not account for site-specific land use considerations that vary across communities. For example, a municipality may currently use reasonable parking, spacing, or special exception review processes to address traffic or congestion concerns on narrow residential streets or in high-density neighborhoods. By establishing a uniform statewide mandate and requiring these operations to be treated as permitted residential uses in all cases, HB 1259 removes the ability of municipalities to apply those locally tailored standards to address neighborhood impacts.

Municipalities support policies that expand child care access, but those policies should preserve appropriate local land use authority and flexibility. For these reasons, the Maryland Municipal League respectfully requests an unfavorable report on House Bill 1259.

For more information relating to this piece of testimony, please contact:
Angelica Bailey Thupari: Director, Advocacy and Public Policy, angelicab@mdmunicipal.org

MML represents 161 local governments and about 2 million Maryland residents.

HB1259 - Testimony - EEE Committee.pdf

Uploaded by: Therese Hessler

Position: UNF



March 30, 2026

Education, Energy, and the Environment Committee

Bill: HB1259 - Zoning Authorities - Operation of Family Child Care Homes - Prohibitions and Requirements
Position: Unfavorable

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

On behalf of the City of Gaithersburg, we respectfully submit this testimony in opposition to House Bill 1259, which places restrictions on the ability of municipalities to deny or restrict the operation of certain childcare homes.

Residential use is commonly understood as a dwelling unit that provides habitation for residents. A home-based daycare facility, by contrast, is a commercial service operating within a dwelling, which introduces impacts beyond typical residential activity. Currently, the City of Gaithersburg allows family daycares in all residential zones. However, we require family daycares in multifamily, triplex, and quadplex units, and large family daycares (defined as serving 9–12 individuals) to undergo review as a special exception. This review process is essential because larger daycares, or those in multifamily settings, can create negative externalities such as increased traffic and parking demand. Such areas were designed and approved for residential use, and introducing higher-intensity daycare operations may create difficulties that need to be addressed before approval. This bill oversteps local zoning authority and fails to account for potential negative externalities associated with these uses.

While we appreciate the intent to expand access to childcare, we must oppose this bill due to its significant preemption of local land-use authority. HB1259 would remove a jurisdiction's ability to address neighborhood-specific impacts, ensure safety, and balance residential needs with operational considerations. Local zoning processes are designed to provide reasonable flexibility while still protecting community character and infrastructure capacity. A statewide mandate that classifies all family childcare homes as permitted residential uses eliminates this essential nuance and limits our ability to respond to unique local conditions.

For these reasons, we respectfully request the Committee to deliver an unfavorable report on HB1259.

Respectfully submitted,

Jud Ashman, Mayor
City of Gaithersburg

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Neil Harris
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Jim McNulty
Robert T. Wu

CITY MANAGER
Tanisha R. Briley

HB 1259_ Zoning Authorities - Operation of Family

Uploaded by: Trudy Tibbals

Position: UNF

HB 1259: Zoning Authorities - Operation of Family Child Care Homes - Prohibitions and Requirements: Please vote to **OPPOSE** this bill.

Dear Education, Energy & the Environment Committee:

I am writing to strongly urge you to **OPPOSE HB 1259**.

While expanding access to child care is a worthy goal, this bill represents excessive state overreach that strips local communities of the ability to manage land use, neighborhood character, and resident quality of life. Zoning is a core local government function, designed to balance competing needs—such as preserving quiet residential areas, protecting property values, ensuring adequate parking, managing traffic, and addressing safety concerns in specific neighborhoods. Family child care homes, even small ones, often involve increased traffic (drop-offs/pick-ups), noise, outdoor play, signage, and parking demands that can disrupt single-family residential streets—especially in denser or smaller-lot areas.

Preempting local zoning authority removes the ability of counties and municipalities to tailor reasonable regulations (e.g., setback requirements, parking standards, outdoor play area limits, or conditional use permits) to fit local conditions. This one-size-fits-all approach could force family child care into neighborhoods where it is incompatible, leading to conflicts with neighbors, reduced property values, and strained local resources without adequate local input or flexibility.

Maryland already has state licensing and health/safety standards for family child care providers. Local zoning should remain the appropriate tool to address land-use impacts—not be overridden by a blanket prohibition on restrictions. **Local governments are best positioned to balance the need for child care access with neighborhood livability and resident rights.**

For these reasons, I respectfully ask you to **vote against HB 1259**.

Thank you for your time and thoughtful consideration of my concerns regarding this important local governance, property rights, and community character issue.

Respectfully,

Trudy Tibbals