



Wes Moore | Governor
Aruna Miller | Lt. Governor
Harry Coker, Jr. | Secretary of Commerce

DATE: March 10, 2026
BILL NO: House Bill 1411
BILL TITLE: Data Center Planning and Transparency Act
COMMITTEE: House Environment and Transportation Committee
POSITION: Oppose

The Maryland Department of Commerce (Commerce) opposes House Bill 1411 - Data Center Planning & Transparency Act.

Bill Summary:

House Bill 1411 requires an owner or operator of a large-scale data center to submit a disclosure report to the Department of the Environment, the Maryland Energy Administration, the local approving authority for planning, economic development, permitting and environment, as applicable, of the local jurisdiction in which the data center will be located, as well as any state or local elected officials representing the area in which the data center will be located.

The required information generally addresses the need for the facility, its energy usage and related load study, size of the facility and other related business-case data and project plan items to be submitted 60 days before applying for any grant, loan, incentive or other assistance and 60 days prior to applying for any permit to construct or operate a large-scale data center. The legislation places review time and notice requirements on MDE, Planning, and local jurisdiction agencies.

It further prohibits the award of a tax credit or other incentive unless the owner/operator is in compliance with MDE requirements and the local jurisdiction has adopted a large-scale data center plan and the zoning regulations necessary to implement the plan.

Rationale:

Commerce opposes the bill due to the significant increase in requirements and development timelines placed on the establishment of data centers in Maryland. This would send a message to existing and future data center operators that the process and cost of doing business in Maryland is too high and burdensome. Many of the provisions of the bill duplicate already in place notices and public processes that occur during any industrial development project. Additionally, some requirements may cause the disclosure of sensitive or proprietary business information. Disincentivizing sustainable data center development risks losing momentum in Maryland's advanced biohealth, quantum, and information technology industries. As Governor Moore has shown through his letter to the PJM Board of Managers as well as his work with the Northeast States Collaborative, the Moore-Miller Administration is committed to managing data center projects responsibly, and will not allow the cost of new data centers to be passed on to Maryland ratepayers. Thriving innovation industries require local digital infrastructure that minimizes latency and computing costs. If this is unavailable in Maryland, not only will the state and local jurisdictions risk losing direct revenue from data center jobs, property taxes, and capital

expenditures, but jeopardize the future growth of lighthouse sectors that support tens of thousands of jobs statewide.

Furthermore, this bill may possibly discourage new opportunities for small businesses if a data center investment is not made. Many local small businesses benefit from the opportunities data centers bring, such as construction, staffing, and operations.

Commerce respectfully requests an unfavorable report on House Bill 1411.