



TESTIMONY

COMMITTEE: Senate Education, Energy, and the Environment

DATE: April 2, 2026

POSITION: Favorable with Amendments

BILL: SB 189

The Maryland Municipal League (MML) **supports** Senate Bill 189 (Mason’s Law), **with amendment**. SB189 requires municipalities to install or construct approved grating systems on all new and existing open drainage inlets. This bill is a meaningful and necessary step toward protecting public safety within our communities. The legislation is prompted by the tragic loss of Mason, a child whose memory serves as a poignant reminder of the critical need for these life-saving measures. We wish to sincerely express our deepest sympathy and condolences to Mason’s family and loved ones. By moving forward with this bill, Maryland demonstrates a commitment to preventing similar tragedies and honoring Mason's legacy through action.

We would like to begin by thanking the Committee for its diligent work on the House version of this legislation, HB 34. We greatly appreciate the Committee’s willingness to incorporate our original amendments into that bill, particularly those addressing the technical definitions of drainage inlets and the inclusion of critical funding mechanisms. As SB 189 comes before you, we respectfully request that it be amended to conform to the House’s version and to address a few remaining operational hurdles.

While the League wholeheartedly supports the intent of SB189, we respectfully request consideration of amendments to strengthen the bill and expand its effectiveness. First, we seek a clear expansion of available funding sources. As introduced, SB189 does not designate or identify funding mechanisms to assist municipalities with the costs associated with retrofitting or installing new grates. Municipalities, particularly smaller or resource-constrained jurisdictions, may face challenges in meeting the bill’s requirements without fiscal support. For this reason, we respectfully request an amendment to Page 1, line 15, to include the language from HB 34 regarding the **Environment Article, Section 5-803(h)**, ensuring that: **“THE DEPARTMENT SHALL AWARD GRANTS FROM THE COMPREHENSIVE FLOOD MANAGEMENT GRANT PROGRAM TO ASSIST MUNICIPALITIES WITH THE COSTS OF CONSTRUCTING OR INSTALLING IMPROVEMENTS.”**

We believe it is vital to clarify and expand the scope of SB189 to include open drainage inlets located on private property. Notably, the heartbreaking incident that inspired this legislation occurred on private property, underscoring the imperative for comprehensive safeguards. As currently written, the bill applies to “any new or existing open drainage inlet within the municipality,” which could be interpreted as limited to

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

public property. To ensure that the safety measures envisioned by this bill protect all Marylanders, regardless of whether an inlet is publicly or privately maintained, we respectfully request an amendment to explicitly include open drainage inlets on private property within the bill's scope. To facilitate this, we propose an amendment to **Section 2 (Page 9, line 27)** to strike "INSTALL AN APPROVED GRATING SYSTEM ON ANY EXISTING OPEN DRAINAGE INLET" and substitute **"SHALL MAKE IMPROVEMENTS TO IDENTIFIED EXISTING PUBLICLY OWNED AND PRIVATELY OWNED OPEN DRAINAGE INLETS."**

We request the inclusion of the liability and maintenance protections, which explicitly state that if a municipality facilitates improvements on private property, the municipality: **"(1) IS NOT RESPONSIBLE FOR MAINTAINING IMPROVEMENTS INSTALLED ON A PRIVATELY OWNED EXISTING OPEN DRAINAGE INLET; AND (2) MAY NOT BE HELD LIABLE FOR INCIDENTS ARISING OUT OF THE MAINTENANCE OF AN APPROVED GRATING SYSTEM."** This protection is essential to ensure that while we work to protect all Marylanders, municipalities are not exposed to open-ended financial or legal risks on property they do not

To ensure the bill is implementation-ready, we request the inclusion of the technical exclusions adopted in HB 34 to clarify that an **"OPEN DRAINAGE INLET DOES NOT INCLUDE: (I) A GRATE INLET; (II) A CURB INLET; (III) A COMBINATION GRATE AND CURB INLET; (IV) A SLOTTED INLET; OR (V) A CULVERT LOCATED ON OPEN DRAINAGE HIGHWAYS."**

Finally, we ask for a two-year extension of the compliance deadlines to allow our municipalities the necessary time to conduct thorough inventories and manage the labor-intensive field inspections required by this mandate; this phased approach would establish a June 1, 2029 deadline for the completed inventory, a July 1, 2030 deadline for the development of a prioritization plan, and a final compliance date of April 1, 2031 for the completion of all required improvements.

Public safety is a fundamental responsibility of local government. With these amendments, SB189 would provide comprehensive, enforceable protections around all open drainage inlets, and would supply municipalities with the financial tools and realistic timelines needed for effective and equitable implementation.

For these reasons, the League respectfully requests that the committee adopt these amendments and provide Senate Bill 189 (Mason's Law) with a **favorable *with amendment*** report.

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

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