

Wednesday March 25, 2026

TO: William Smith, Chair Senate Judicial Proceedings Committee, and Committee Members

FROM: Humna Sharif, The Nature Conservancy, Climate Adaptation Manager; Cait Kerr, The Nature Conservancy, State Policy Manager

POSITION: Support HB 200 Sale of Residential Real Property - Required Flood Risk Disclosure

The Nature Conservancy (TNC) supports HB 200 Sale of Residential Real Property - Required Flood Risk Disclosure sponsored by Delegate Lehman. TNC is a global conservation organization working to conserve the lands and waters on which all life depends. In Maryland, our work focuses on delivering solutions that secure clean water, air, and healthy, secure living environments.

HB 200 requires the Maryland Department of the Environment (MDE) to develop, publish, and maintain a real property flood risk disclosure statement form that includes information about a property's flood risk and history. This bill further requires property sellers to provide potential buyers with a completed flood risk disclosure statement, including past floods, before the contract for the property's sale is finalized. The disclosure statement will also specify if the property is subject to federal flood insurance requirements, and where the property falls within flood maps developed by the Federal Emergency Management Agency (FEMA). Commonly used indicators of flood risk include a 100-year floodplain or a Special Flood Hazard Area, and 500-year floodplain or a Moderate Flood Hazard Area. These measures translate to a 1% and 0.2% chance of flooding in a given year, respectively.

The impacts of climate change, through sea level rise, extreme precipitation, and other intense weather events, are causing increased flooding across Maryland. Last year, Western Maryland communities experienced devastating flooding in Allegheny and Garrett Counties. On the other side of the state, our vibrant coastline is experiencing increasing sunny day flooding from sea level rise.

The 2023 Maryland Sea Level Rise Projections, prepared by the University of Maryland Center for Environmental Sciences (UMCES), finds that by 2050, Maryland will experience 1–1.5 feet of sea level rise measured from a 2000 baseline. This is twice the amount of sea level rise experienced in the previous century. By 2100, the state is expected to experience three feet of sea level rise.

Rising sea levels contribute to increased flood events, even in the absence of storms. Maryland's low-lying coastal areas, including Eastern Shore counties, are particularly vulnerable to high tide flooding events that can range in severity from minor (disruptive or nuisance flooding leading to road closures and disrupting access to certain parts of town, often recurring), moderate (damaging), or major (destructive) for communities, residences, and infrastructure.

When purchasing a property, home buyers are often unaware if the property is within a flood zone, thus putting the buyer at risk of unknown financial hardship after weather and climate-related disasters. HB 200 aims to fix this gap in policy. Transparency regarding a property and region's flood risk exposure and history is potentially life-saving information that can help residents be informed and prepared to respond to disasters. Beyond transparency for property owners, MDE keeping records of flood risk history will help the state create better programs and resources to support areas most in need of flood mitigation measures.

As an example of state programs that aim to mitigate flood risk, the Maryland Department of Natural Resources (DNR) introduced a web and app-based tool "MyCoast Maryland" for the purpose of: "*Documenting Flooding & Storm Damage to Inspire Action.*" MyCoast Maryland allows individuals to communicate flooding and storm damage in their community. It is a portal to collect and analyze photos, which are linked to precipitation, riverine, and tidal data to create reports that help government agencies, business owners, and residents understand impacts in their community and encourage action to reduce localized flooding.

MyCoast data, coupled with information collected through implementing HB 200, will empower Maryland's state agencies to create and deliver even better flood resilience solutions for communities – allowing the State government to save billions in avoided damages.

Building resilience to climate change is among the biggest challenges of our time, many aspects of our governance system must come together to tackle this crisis. The state of Maryland has already shown itself to be a leader in tackling the climate crisis. As our state pursues our goals on renewable energy, and reducing emissions, we must give equal importance to resilience building measures that will reduce damage in the long run. HB 200 is one such bill.

Delegate Lehman's bill brings much needed transparency and access to the exposure and history of flood risk that a property carries. This bill will empower Maryland residents to make informed decisions about their own future. **Therefore, we urge a favorable report on HB 200.**