

HOUSE BILL 1195

L6, Q1, Q2

3lr2894
CF 3lr2895

By: **Delegates Wu, Simmons, and Vogel**

Introduced and read first time: February 10, 2023

Assigned to: Environment and Transportation and Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Development Transparency Act of 2023**

3 FOR the purpose of requiring a certain entity seeking any waiver, exemption, or
4 authorization from any zoning regulation, zoning map amendment, conditional use
5 permit, final development plan, or other land use authorization to publicly disclose
6 the name of each individual that owns the entity, including any individual that owns
7 an affiliated entity; and generally relating to disclosure requirements.

8 BY renumbering

9 Article – Land Use

10 Section 1–401(b)(10) through (27) and 10–103(b)(11) through (20)

11 to be Section 1–401(b)(11) through (28) and 10–103(b)(12) through (21), respectively

12 Annotated Code of Maryland

13 (2012 Volume and 2022 Supplement)

14 BY adding to

15 Article – Corporations and Associations

16 Section 1–407

17 Annotated Code of Maryland

18 (2014 Replacement Volume and 2022 Supplement)

19 BY repealing and reenacting, without amendments,

20 Article – Land Use

21 Section 1–401(a) and 10–103(a)

22 Annotated Code of Maryland

23 (2012 Volume and 2022 Supplement)

24 BY adding to

25 Article – Land Use

26 Section 1–401(b)(10), 4–204.1, and 10–103(b)(11)

27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2012 Volume and 2022 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 1–401(b)(10) through (27) and 10–103(b)(11) through (20) of Article – Land Use of the Annotated Code of Maryland be renumbered to be Section(s) 1–401(b)(11) through (28) and 10–103(b)(12) through (21), respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Corporations and Associations

1–407.

(A) IN THIS SECTION, “ENTITY” INCLUDES:

(1) A CORPORATION;

(2) A LIMITED LIABILITY COMPANY;

(3) A PARTNERSHIP;

(4) A LIMITED LIABILITY PARTNERSHIP;

(5) A NONGOVERNMENTAL JOINT VENTURE;

(6) A PROPERTY OWNER;

(7) A TRUST; AND

(8) A CORPORATION.

(B) AN ENTITY THAT SEEKS ANY WAIVER OR EXEMPTION FROM, OR AUTHORIZATION UNDER, ANY ZONING REGULATION, ZONING MAP AMENDMENT, CONDITIONAL USE PERMIT, FINAL DEVELOPMENT PLAN, OR OTHER LAND USE AUTHORIZATION SHALL PUBLICLY DISCLOSE THE NAME OF EACH INDIVIDUAL THAT OWNS THE ENTITY, INCLUDING ANY INDIVIDUAL THAT OWNS AN AFFILIATED ENTITY OR ENTITIES.

Article – Land Use

1–401.

(a) Except as provided in this section, this division does not apply to charter counties.

(b) The following provisions of this division apply to a charter county:

(10) § 4-204.1 (ZONING REGULATIONS – ENTITY DISCLOSURES);

4-204.1.

(A) IN THIS SECTION, “ENTITY” HAS THE MEANING STATED IN § 1-407 OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE.

(B) AN ENTITY THAT SEEKS ANY WAIVER OR EXEMPTION FROM, OR AUTHORIZATION UNDER, ANY ZONING REGULATION, ZONING MAP AMENDMENT, CONDITIONAL USE PERMIT, FINAL DEVELOPMENT PLAN, OR OTHER LAND USE AUTHORIZATION SHALL PUBLICLY DISCLOSE THE NAME OF EACH INDIVIDUAL THAT OWNS THE ENTITY, INCLUDING ANY INDIVIDUAL THAT OWNS AN AFFILIATED ENTITY OR ENTITIES.

10-103.

(a) Except as provided in this section, this division does not apply to Baltimore City.

(b) The following provisions of this division apply to Baltimore City:

(11) § 4-204.1 (ZONING REGULATIONS – ENTITY DISCLOSURES);

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.