



Senate Bill 234

*Department of Housing and Community Development - Homeless Shelter Certification
Program - Establishment*

MACo Position: **SUPPORT**
WITH AMENDMENTS

To: Education, Energy, and the Environment
Committee

Date: January 21, 2024

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS** SB 234 **WITH AMENDMENTS**. This bill grants the Maryland Department of Housing & Community Development (DHCD) the ability to regulate homeless shelters.

During the 2024 Maryland General Assembly Session, MACo selected “*Advance Comprehensive Housing Solutions*” as one of the Association’s four legislative priorities. Maryland’s affordable housing crisis remains a top-of-mind issue for county leaders in 2025. Much like climate change and sea level rise, the challenges surrounding affordable housing are vast and call for a large, multipronged approach. While in other policy areas, it may be easy to deduce a simple cause-and-effect relationship, housing is a complex web of multifaceted factors. Addressing challenges like workforce, financing, interest rates, broad economic trends, supply chain, and large out-of-state corporate interests – among many other obstacles – requires an all-hands-on-deck effort from policy makers at all levels.

Counties initially opposed this legislation when it was introduced in 2024, citing several concerns around implementation. Over the interim DHCD has worked closely with local implementors and MACo to address county reservations and provide better services for our mutual constituents. MACo suggests the amendments outlined below and is confident we will soon find consensus with the Department on the points which need additional clarification.

MACo Amendments:

- Page 2, lines 26, after “OTHER”, strike “LARGE SCALE” through “NEEDS”, and substitute “**NATURAL OR MANMADE HAZARD OR THREAT REQUIRING TEMPORARY SHELTERING OPERATIONS AS OUTLINED BY THE COUNTY EMERGENCY OPERATIONS PLAN**”;
- Page 7, after line 22, insert “**(E) A FAMILY SHELTER MAY DENY ADMISSION**”;
- Page 7, in line 20, after “STAFF”, insert “**THAT CURRENTLY PRESENTS**”

Points Needing Additional Clarification:

- *How should hotels that act as overflow shelters be handled?*
It is not the intent of DHCD to conduct shelter inspections on hotels when they function in this manner and the implementation of these inspections would be unreasonably burdensome for both counties and the State.
- *How should the owner or operator of a shelter be defined?*
It is unclear if the owner or operator of a shelter is the building owner, county, Continuum of Care agency, or other contracted non-profit.
- *Can countywide Continuums of Care (CoCs) be certified instead of individual programs if the CoCs can demonstrate existing sufficient oversight?*
A state regulatory regime may present unintended barriers for programs that may already be meeting the requirements but lack bureaucratic capacity to comply with additional oversight.

Counties recognize and broadly support the intent of SB 234. When members of our community may be at their lowest, they should have options that grant them dignity and decency. MACo remains committed to working with the Committee and DHCD to address the remaining points of clarification and thanks the Department for their continued close collaboration. For these reasons, MACo urges the Committee to give SB 234 a **FAVORABLE WITH AMENDMENTS** report.