



House Bill 1411

Data Center Planning and Transparency Act

MACo Position: **OPPOSE**

To: Environment and Transportation
Committee

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From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **OPPOSES** HB 1411. This bill establishes a costly statewide approach to addressing data centers that undercuts local land use authority, imposes an unfunded planning mandate, and is duplicative of work already underway in many jurisdictions.

Counties understand and share the State's interest in ensuring that large-scale data center development occurs transparently and responsibly. Data centers are becoming a defining pillar of the 21st-century economy, supporting cloud services, artificial intelligence, cybersecurity, and modern commerce. They also present a significant fiscal opportunity, easing pressure on residential taxpayers, and supporting core public services. At the same time, these facilities can bring real local impacts. Data centers are major industrial users of electricity and water, placing heavy burdens on county and regional infrastructure.

While MACo recognizes the intent of HB 1411, as drafted, the bill is overly prescriptive, unfunded, duplicative, and it fails to reflect the practical division of responsibilities between counties and the State on key issues like energy and water infrastructure.

Key county concerns include:

Not All Jurisdictions Are Appropriate for Large-Scale Data Centers

Large-scale data centers are not a universally compatible land use, and Maryland's counties differ widely in geography, infrastructure capacity, and community development priorities. Some areas lack the necessary electric and water infrastructure, suitable industrial-zoned land, or transportation access to support facilities of this scale without major impacts, while other communities may determine—through their comprehensive plans and public input—that data centers do not align with local land use goals or community character. HB 1411's uniform, statewide template risks pushing every jurisdiction toward the same outcome rather than respecting that some counties may reasonably choose to prohibit data centers based on location, infrastructure constraints, and local community preference.

Misalignment With State Responsibility Over Energy and Water Infrastructure

Whether a data center can be served safely and reliably hinges on electricity supply, grid reliability, transmission and substation planning, and often water resources—systems largely shaped by state agencies, regulated utilities, and regional grid operators. Counties do not control most of these inputs, yet HB 1411 places the primary planning obligation on local governments without ensuring meaningful coordination or accountability from the state-level entities that determine if and when supporting infrastructure can actually be delivered.

Costly, Unfunded Mandate For New Plans and Processes

HB 1411 requires counties to undertake a substantial planning and zoning initiative on a compressed schedule, including multiple public meetings and detailed analysis of siting criteria, cumulative impacts, utility constraints, environmental and stormwater issues, noise, and mitigation standards. This is time- and resource-intensive work that may require outside technical expertise, yet the bill provides no funding or technical assistance to carry out these new requirements.

Duplicative of County Work Already Underway

Several counties are already addressing data centers through existing local planning and zoning tools—updating comprehensive plans, refining definitions, strengthening standards, and using conditional use or special exception processes with robust public engagement. HB 1411 would force a separate, standalone planning effort even where counties are already integrating data center policy into ongoing work, creating redundancy rather than building on established local processes.

Counties remain committed to partnering with the State on a balanced, workable framework for data center development—one that supports economic competitiveness while protecting community character and ensuring infrastructure realities are addressed transparently. However, as drafted, HB 1411 misses the mark by preempting local discretion, imposing an expensive unfunded mandate, and duplicating county-led efforts already underway. For these reasons, MACo respectfully urges the Committee to issue an **UNFAVORABLE** report on HB 1411.