



House Bill 402

Common Ownership Communities - Oversight, Governing Document Database, and Local Commissions

MACo Position: **SUPPORT**

To: Judicial Proceedings Committee

WITH AMENDMENTS

Date: April 2, 2026

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS HB 402 WITH AMENDMENTS**. As drafted, this bill would preempt existing Common Ownership Community Commissions.

Broadly, Common Ownership Communities (COCs) are often thought of as a group of homes with their own governments and binding rules – namely condominium associations, cooperative housing corporations, and homeowner associations. COCs can be found in all 24 counties and have become a quintessential part of Maryland’s largely suburban development.

As drafted, counties have concerns that HB 402 would preempt existing COC commission structures, especially where bodies are already functioning successfully. Counties offer an amendment clarifying that this structure shall only be for newly established commissions moving forward.

- On page 10, after line 3, insert, “**A LOCAL COMMISSION ON COMMON OWNERSHIP COMMUNITIES ESTABLISHED BY THE LOCAL GOVERNMENT OF A COUNTY BY LOCAL LAW AFTER OCTOBER 1, 2026, SHALL COMPLY WITH THE REQUIREMENTS OF THIS TITLE. A LOCAL COMMISSION ON COMMON OWNERSHIP COMMUNITIES ESTABLISHED BY THE LOCAL GOVERNMENT OF A COUNTY BY LOCAL LAW PRIOR TO OCTOBER 1, 2026, MAY COMPLY WITH THE REQUIREMENTS OF THIS TITLE.**”

With these amendments, HB 402 would provide another tool in the toolbox for counties to assist COCs in their communities and to combat the current housing crisis. For this reason, Counties urges a **FAVORABLE WITH AMENDMENTS** report on HB 402.