

TERRI L. HILL, M.D.
Legislative District 12
Baltimore and Howard Counties

Health and Government Operations
Committee

Subcommittees

Government Operations
and Health Facilities

Public Health and
Minority Health Disparities



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Annapolis Office
The Maryland House of Delegates
6 Bladen Street, Room 214
Annapolis, Maryland 21401
410-841-3378 · 301-858-3378
800-492-7122 Ext. 3378
Fax 410-841-3197 · 301-858-3197
Terri.Hill@house.state.md.us

District Office
410-884-4380
Fax 410-884-5481

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House Bill 322

Real Property – Restrictions on Use – Low Impact Landscaping

Dear Chairman Smith, Vice Chair Waldstreicher, and Members of the Judicial Proceedings Committee,

HB322 is the reintroduction and amended version of the 2020 Session's HB279 which passed in the Environment and Transportation Committee 23-1 and the House floor 133-2. That bill was referred to this committee and, like the many others, was derailed in our pandemic-related, premature adjournment. This session, **HB322** passed its House committee unanimously and the House floor 126-4. There is no Senate crossfile.

HB322 protects individual homeowners from unreasonable Home Owner Association (HOA) restrictions on a property owner's installation of low-impact landscaping - defined as landscaping techniques that conserve water, lower maintenance costs, provide pollution prevention, and create habitat for wildlife.

Consistent with the need for all of us to take greater personal responsibility for mitigating the existential impacts of climate change, **HB322** strikes the correct balance between such interest, when held by an individual homeowner, and the protection of property values and maintenance of standards, which is the prime objective of most HOAs. The Community Associations Institute supports this legislation.

Low-impact landscaping techniques, and the sustainable gardens that result, reduce the use of chemicals in gardening and lawn maintenance, gasoline by mowers, toxic and carcinogenic pollutant emissions into the air, and water for maintaining lawns and non-sustainable gardens.

Sustainable gardening reduces storm water runoff into the Chesapeake Bay; bio-habitat and pollinator gardens support pollinator friendly birds and increasing fruit harvest; rain gardens make soil healthier by filtering excess nutrients; xeriscaping reduces or eliminates the need for supplemental water from irrigation; and planting more trees cleans the air we breathe.

Because such practices benefit all of us, it is appropriate that we take action to encourage such efforts while not undermining the important role of the HOA. Passing **HB322** will be doing exactly that.

I respectfully request a favorable report.

A handwritten signature in black ink, appearing to read 'Terri L. Hill'.

Terri L. Hill, M.D.

