



House Bill 241

Housing and Community Development - Just Community Designation

MACo Position:

To: Environment & Transportation Committee

LETTER OF INFORMATION

Date: January 30, 2024

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) offers the following **Letter of Information** regarding HB 241. This bill establishes a “Just Community Designation” and grants the Governor discretion to “identify state programs under which a Just Community shall receive priority for State funding.”

Counties recognize the concept of prioritizing funding for certain communities based on historical, environmental, or other factors. The State has successfully developed a number of tools and requirements around environmental justice, which counties (and others) currently use. The scope of HB 241, though, seems unusually broad and may trigger unintended consequences, with effects on current programs that have a deeply conceived distribution through statutory formulas or otherwise. Specifically, page 3, lines 12-14, say:

“(C) AT THE TIME JUST COMMUNITIES ARE DESIGNATED OR RENEWED, THE GOVERNOR SHALL IDENTIFY STATE PROGRAMS UNDER WHICH A JUST COMMUNITY SHALL RECEIVE PRIORITY FOR STATE FUNDING.”

This language, without additional context or guardrails, may be unintentionally used to inequitably redirect significant amounts of state investment, effectively choosing winners and losers. While it is recognized that certain communities may need more investment, that need must be examined in a broader and more wholistic context. Even though most programs are already crafted to ensure resources are delivered in a targeted way, the State may benefit from additional tweaks around the edges to produce more desired outcomes. If the intent of HB 241 is to do just that, counties suggest clarifying language be added to more accurately detail which programs the Governor will have authority to refine, and which should require action of the General Assembly to alter formulas and other distribution mechanisms.

Counties stand ready to contribute to discussions to refine and improve HB 241, if the Committee seeks to advance this potentially broad legislation.