

House Bill No. 1955 - Zoning - Group Homes for
Mentally Retarded

AN ACT concerning

Zoning - Group Homes for the Mentally Retarded

FOR the purpose of requiring that group homes for the mentally retarded be treated as single family dwellings with regard to zoning and planning regulations of the counties and Baltimore City and other municipal corporations; providing for a certain definition of a group home, and exempting a certain county; and relating generally to group homes.

May 26, 1977

Honorable John Hanson Briscoe
Speaker of the House of Delegates
State House
Annapolis, Maryland 21404

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetted House Bill 1955.

This bill amends provisions of Article 23A (Municipal Corporations), Article 25A (Chartered Counties), and Article 66B (Zoning and Planning) to require that except in Washington County, a group home for the mentally retarded shall be considered as a single family dwelling, subject to the same local laws and regulations as any other single family dwelling within the local jurisdiction.

The bill defines a "group home" as any facility which (1) admits between four and eight unrelated mentally retarded persons who are residents of the jurisdiction in which the facility is located, (2) maintains the necessary facilities for their care or treatment and provides a home-type environment for them, and (3) is licensed by the Department of Health and Mental Hygiene.

House Bill 1955 arose from a recognition by the General Assembly, which I share, that there are mentally retarded persons now residing in the State hospitals who could be cared for equally well or better in community based group homes, if such homes existed. One of the major impediments to the development of group homes has been the application of zoning laws and regulations which place group homes in a different and more restrictive