

# HOUSE BILL 543

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HB 911/25 – ENT

6lr1222

By: **Delegates Guyton, Allen, Bagnall, Boyce, Feldmark, Foley, Guzzone, Healey, D. Jones, Lehman, Lewis, Lopez, McCaskill, Queen, Ruth, Solomon, Stinnett, Taveras, Terrasa, Wims, Wolek, Woods, Woorman, and Ziegler**

Introduced and read first time: January 27, 2026

Assigned to: Economic Matters

## A BILL ENTITLED

1 AN ACT concerning

### 2           **Real Property – Landlord and Tenant – Family Child Care Homes**

3 FOR the purpose of authorizing a landlord to impose an increased security deposit if a  
4 tenant operates or plans to operate a family child care home on the leased premises;  
5 prohibiting a landlord of certain residential rental property from prohibiting or  
6 unreasonably limiting the operation of a family child care home on the property;  
7 providing that landlords of certain residential rental property are immune from civil  
8 liability for the acts or omissions of a tenant relating to the operation of a family  
9 child care home; requiring a tenant to notify a landlord prior to operating a family  
10 child care home on the property; requiring a tenant to provide a landlord with a  
11 certain registration and a certificate of insurance naming certain entities as  
12 additional insureds on policies under certain circumstances; requiring a tenant to  
13 notify a landlord if the tenant ceases operation of a family child care home;  
14 authorizing a landlord to require a certain tenant to purchase a certain insurance  
15 policy; requiring a tenant to cease the operation of the family child care home under  
16 certain circumstances; and generally relating to the operation of family child care  
17 homes on residential rental property.

18 BY repealing and reenacting, without amendments,  
19           Article – Education  
20           Section 9.5–301(a) and (e)  
21           Annotated Code of Maryland  
22           (2022 Replacement Volume and 2025 Supplement)

23 BY repealing and reenacting, with amendments,  
24           Article – Real Property  
25           Section 8–203(b)  
26           Annotated Code of Maryland  
27           (2023 Replacement Volume and 2025 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to  
2 Article – Real Property  
3 Section 8–222  
4 Annotated Code of Maryland  
5 (2023 Replacement Volume and 2025 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
7 That the Laws of Maryland read as follows:

8 **Article – Education**

9 9.5–301.

10 (a) In this subtitle the following words have the meanings indicated.

11 (e) “Family child care home” means a residence in which family child care is  
12 provided for up to eight children.

13 **Article – Real Property**

14 8–203.

15 (b) (1) Except as provided in paragraph (2) of this subsection, a landlord may  
16 not impose a security deposit in excess of the equivalent of 1 month’s rent per dwelling unit,  
17 regardless of the number of tenants.

18 (2) A landlord may impose a security deposit in an amount equivalent to  
19 up to 2 months’ rent if:

20 (i) 1. The tenant is eligible and has qualified for utility  
21 assistance through the Department of Human Services;

22 [(ii)] 2. The lease agreement requires that the tenant make  
23 payments for utility services directly to the landlord; and

24 [(iii)] 3. The tenant and landlord agree in writing to the amount of  
25 the security deposit; OR

26 (II) **THE TENANT OPERATES OR PLANS TO OPERATE A FAMILY**  
27 **CHILD CARE HOME REGISTERED UNDER TITLE 9.5, SUBTITLE 3 OF THE EDUCATION**  
28 **ARTICLE ON THE LEASED PREMISES.**

29 (3) If a landlord violates paragraph (1) of this subsection, the tenant may  
30 recover up to three times the extra amount charged, plus reasonable attorney’s fees.

(4) An action under this section may be brought at any time during the tenancy or within 2 years after its termination.

3 8-222.

4           (A) IN THIS SECTION, "FAMILY CHILD CARE HOME" HAS THE MEANING  
5 STATED IN § 9.5-301 OF THE EDUCATION ARTICLE.

6           (B) THIS SECTION APPLIES ONLY TO THE LEASE OF A SINGLE-FAMILY  
7 DWELLING TO A TENANT OR PROSPECTIVE TENANT FOR USE OF THE LEASED  
8 PREMISES AS A FAMILY CHILD CARE HOME.

9           (c) (1) THIS SUBSECTION DOES NOT APPLY TO:

16                           **2. THE GOVERNING DOCUMENTS OR BYLAWS OF A**  
17 **CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION.**

(2) A LANDLORD OF A SINGLE-FAMILY DWELLING MAY NOT PROHIBIT  
A TENANT OR PROSPECTIVE TENANT FROM OPERATING A FAMILY CHILD CARE HOME  
ON THE LEASED PREMISES BY:

(I) REFUSING TO OFFER THE PREMISES FOR LEASE,  
NEGOTIATE THE LEASE OF THE PREMISES, OR LEASE THE PREMISES;

(D) A LANDLORD IS NOT LIABLE FOR ANY ACT OR OMISSION OF A TENANT  
RELATING TO THE OPERATION OF A FAMILY CHILD CARE HOME.

29           (E) A TENANT SHALL NOTIFY A LANDLORD IN WRITING AT LEAST **60** DAYS  
30 PRIOR TO OPERATING A FAMILY CHILD CARE HOME ON THE LEASED PREMISES.

1           (F) (1) PRIOR TO COMMENCING THE OPERATION OF A FAMILY CHILD  
2 CARE HOME, A TENANT SHALL PROVIDE THE LANDLORD WITH:

3                 (I) THE TENANT'S REGISTRATION TO OPERATE A FAMILY  
4 CHILD CARE HOME ISSUED UNDER TITLE 9.5, SUBTITLE 3 OF THE EDUCATION  
5 ARTICLE; AND

6                 (II) A CERTIFICATE OF INSURANCE NAMING THE FOLLOWING AS  
7 ADDITIONAL INSUREDS ON POLICIES RELATING TO THE OPERATION OF THE FAMILY  
8 CHILD CARE HOME:

9                     1. THE LANDLORD; AND

10                     2. EACH ENTITY WITH A DIRECT OR INDIRECT  
11 OWNERSHIP OR MEMBERSHIP INTEREST IN THE PROPERTY.

12                 (2) IF THE TENANT CEASES OPERATION OF THE FAMILY CHILD CARE  
13 HOME, THE TENANT SHALL NOTIFY THE LANDLORD IMMEDIATELY.

14                 (3) A LANDLORD MAY REQUIRE A TENANT TO PURCHASE A LIABILITY  
15 INSURANCE POLICY WITH COVERAGE LIMITS OF NOT MORE THAN \$1,000,000 IN  
16 CONNECTION WITH THE TENANT'S OPERATION OF A FAMILY CHILD CARE HOME.

17                 (4) IF THERE IS A LAPSE IN COVERAGE ON A POLICY UNDER  
18 PARAGRAPH (1)(II) OF THIS SUBSECTION, THE TENANT SHALL CEASE OPERATION OF  
19 THE FAMILY CHILD CARE HOME FOR THE DURATION OF THE LAPSE.

20                 (G) THIS SECTION DOES NOT LIMIT OR PREEMPT THE LOCAL ZONING  
21 AUTHORITY OF A COUNTY OR MUNICIPALITY.

22                 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to  
23 apply only prospectively and may not be applied or interpreted to have any effect on or  
24 application to any lease entered into before the effective date of this Act.

25                 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2026.