



House Bill 1141

Building Performance Standards – Agricultural Buildings Used for Agritourism - Exemption

MACo Position: **SUPPORT**

To: Education, Health, and Environmental Affairs
Committee

Date: April 3, 2018

From: Leslie Knapp, Jr.

The Maryland Association of Counties (MACo) **SUPPORTS** HB 1141 as amended. The bill would address an existing agritourism exemption under the Maryland Building Performance Standards (MBPS) and how it applies to counties.

As amended, HB 1141 would expand an exemption from the MBPS for the construction, alteration, or modification of an agricultural building for which agritourism is an intended subordinate use. Currently, the exemption applies to 11 counties: Calvert, Cecil, Charles, Dorchester, Frederick, Garrett, Harford, Prince George's, St. Mary's, Somerset, and Talbot.

The bill would allow the remaining counties to "opt in" if a county's legislative body approves the application of the exemption. MACo believes that deciding whether to be subject to the exemption should be left to each county governing body and supports the approach taken by the amended bill. The amendment allows a county that wants the exemption to have it while a county that does not want it is held harmless.

HB 1141 seeks to address the application of an agritourism exemption that is desired by some, but not all counties. MACo believes that with the included amendments, the bill achieves this goal. Accordingly, MACo requests the Committee give HB 1141 a **FAVORABLE** report.