



HCCA Testimony on HB1195: Development Transparency Act of 2023

March 7, 2023

We are gratified to see this important legislation taken up by the Environment and Transportation committee and we thank the sponsors Delegate's Wu, Simmons, and Vogel. We urge the committee and then the House to pass this bill.

This bill is about quality of life. It is about infrastructure. It is about transparency, ethics, public trust, and increasing accountability in our local government.

Zoning and land-use, while being the most consequential of local decisions that affect our livelihood on a day-to-day basis receives very little scrutiny when it comes to the decision-making process.

We, in Howard County, have witnessed first-hand the role campaign contributions play on these decisions. In 2022 alone, hundreds of thousands were contributed to candidates for county council and county executive. For some candidates 80 to 90% of their campaign contributions were from developer interests.

Our political and electoral process is so bad that HCCA along with various organizations in Howard County sponsored a No Developer No Dark Money pledge to lift and encourage candidates who chose to side with the voter rather than the special interest.

Delegate Wu was one of those candidates and we are happy to see you carry forward your pledge to the State Legislature to help improve the transparency and disclosure process.

The LLCs are established to obscure the owners and beneficiaries of land-use decisions in such a way that such beneficiaries can give campaign contributions from multiple sources to the same candidate. Last year community activists were able to identify that certain land developers were able to skirt the legal campaign contribution limits through these instruments.

Tracking these LLCs and their owners is a very tedious task. It's like playing a game of whack amole.

Developers can set up multiple LLCs with multiple agents and give campaign contributions from such LLCs. This is in addition to the main LLC or legal entity used to run their day-to-day business.

This bill will go a long way to significantly improve transparency because these disclosures will help monitor land-developers' campaign contribution to ensure that limits are not exceeded.

We also need a penalty for nondisclosure. A clear and transparent requirement with an associated monetary or other legal penalty would also go a long way to encouraging

disclosure. We need to empower our local land-use boards to be able to refer such matters to the judiciary in the event of a willful act of nondisclosure.

Thank you to the sponsors for this very important step and we support this measure with or without our suggested amendments.