

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2025 Legislative Session

Reference No.: CB-062-2025

Draft No.: 2

Committee: PLANNING, HOUSING, AND ECONOMIC DEVELOPMENT

Date: 10/02/2025

Action: FAVORABLE WITH
AMENDMENTS

REPORT: Committee Vote: Favorable with amendments, 5-0 (In favor: Council Members Dernoga, Oriadha, Adams-Stafford, Hawkins, and Olson)

Committee Meeting – July 3, 2025

Overview

The Planning, Housing, and Economic Development (PHED) Committee met on July 3, 2025, to consider CB-062-2025. PHED Committee Director Rana Hightower summarized the purpose of the legislation and informed committee members about public comments and feedback received from agencies within Prince George's County

As presented on Tuesday, June 17, 2025, Draft-1 of the bill is for the purpose of clarifying the requirement to exhaust administrative remedies before seeking judicial review and aligning the appellate rights for administrative citations with those that are available for civil citations.

Ms. Miller-Whye, from the County Council's Budget and Policy Analysis Division, explained the aims of the bill, including: to clarify the administrative hearings process further; to provide that an application for reconsideration should be exhausted before seeking a petition for judicial review; provide that a party may only seek a judicial review through the Circuit Court for Prince George's County if they have first filed a timely request for reconsideration as a form of administrative remedy; and delete surplus language regarding appeal from Circuit Court to the Court of Special Appeals.

Ms. Miller-Whye also noted that the significant change in this legislation is that it will adjust the language associated with the reconsideration process from a discretionary action to a mandatory step before a judicial review is considered. Finally, Ms. Miller-Whye found that the enactment of CB-062-2025 is unlikely to have a direct fiscal impact; however, the County may be indirectly impacted by reduced costs associated with defending decisions subject to judicial review.

Council Member Dernoga stated that several County Council attorneys had concerns with the bill as drafted.

Ms. Hernandez, from the Office of Law, referred comments to Ms. Calisa Smith, the drafter of the legislation.

Ms. Parris from the Department of Permitting, Inspections and Enforcement (DPIE) explained that the legislation is aligning the appeal process, not removing any existing appeal process. It requires administrative remedies to be exhausted. When a case is before the Administrative Hearing Unit, a hearing decision is issued. If the respondent has an issue with the decision, this amendment will now require a request for reconsideration. Then, the Administrative Hearing Officer reviews the appeal. If the appeal is denied, the respondent can then appeal to the Circuit Court of Maryland. Ms. Parris stated she would work with any stakeholders to resolve any concerns.

Council Member Dernoga explained that Mr. Hamlin and Mr. Kumar from the County Council had concerns with the legislation and requested that Ms. Parris meet with County Council legal staff.

On motion of Council Member Olson, seconded by Vice Chair Oriadha, the PHED Committee voted 5-0 to hold CB-062-2025.

Committee Meeting – September 4, 2025

Overview

The Planning, Housing, and Economic Development (PHED) Committee met on September 4, 2025, to consider CB-062-2025. PHED Committee Director Rana Hightower summarized the purpose of the legislation and informed committee members about public comments.

Council Member Dernoga stated the Administration has requested that the bill be held and considered during another PHED Committee meeting.

On motion of Council Member Dernoga, seconded by Council Member Olson, the PHED Committee voted 4-0 to hold the bill.

Committee Meeting – October 2, 2025

Overview

The Planning, Housing, and Economic Development (PHED) Committee met on October 2, 2025, to consider CB-062-2025 (Proposed DR-2). PHED Committee Director Rana Hightower summarized the purpose of the legislation and informed committee members about agency and public comments.

Ms. Parris, from DPIE, explained that the CB-062-2025 (Proposed DR-2) is a result of discussions with Council Member Dernoga, Mr. Hamlin, and Mr. Kumar. The proposed DR-2 removes the reconsideration language and eliminates the language regarding appellate review. The bill allows a respondent to seek judicial review of an Administrative Hearing Unit's decision. The bill clarifies the process for Administrative Hearing Officer decisions.

Mr. Josh Hamlin, Legislative Attorney, confirmed that the amended language reflects what had been discussed, and that the concerns raised by staff have been addressed in the Proposed DR-2 of the bill.

Ms. Owens, with the County Executive's Office, thanked Council Member Dernoga for meeting with the Administration and requested favorable consideration of the bill.

On motion of Council Member Olson, seconded by Council Member Hawkins, the PHED Committee voted 5-0 in favor of CB-062-2025 (DR-2).