

**Department of Legislative Services**  
Maryland General Assembly  
2026 Session

**FISCAL AND POLICY NOTE**  
**Third Reader - Revised**

House Bill 1221  
Economic Matters

(Delegates Foley and Hutchinson)

Education, Energy, and the Environment

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**Public Safety - Short-Term Rental Units - Safety (Jillian and Lindsay Wiener  
Short-Term Rental Safety Act)**

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This bill requires the inclusion of specified fire prevention and detection equipment in all short-term rental units offered for short-term rental for less than 30 consecutive days. By July 1, 2028, each county and Baltimore City in which short-term rentals are allowed must, by local law or regulation, require the annual inspection of all short-term rental units in the jurisdiction for compliance, as specified. By October 1, 2028, the State Fire Marshal must report to the General Assembly on the information reported to the State Fire Marshal by the counties and Baltimore City in accordance with the bill. The bill may not be construed to (1) require a county or Baltimore City to authorize the use of short-term rentals in the jurisdiction or (2) preempt or prohibit a county or Baltimore City from enacting other measures regarding short-term rentals in the jurisdiction in addition to the measures required by the bill.

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**Fiscal Summary**

**State Effect:** The State Fire Marshal can likely comply with the bill’s requirements with existing resources, as discussed below. The application of existing criminal penalty provisions to violations of the bill does not materially affect State finances.

**Local Effect:** Local expenditures increase to the extent local governments must inspect short-term rental units and hire additional inspectors, as discussed below. Local revenues increase to the extent local governments establish fees to cover the cost of short-term rental unit inspections. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** Potential meaningful.

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## Analysis

### Bill Summary:

#### *Selected Definitions*

“Booking service” means a person who, directly or indirectly, (1) provides specified platforms that generally list and advertise short-term rentals and accept offers for short-term rentals or allow reservation or payment for short-term rentals and (2) receives a fee for the use of the platform or any other service provided in connection with a short-term rental. “Booking service” does not include a platform that solely lists or advertises *offers* for short-term rentals.

“Short-term rental host” means a person in legal possession of a short-term rental unit who rents the unit to guests.

#### *Short-term Rental Units – Required Evacuation Plans and Safety Equipment*

In a short-term rental unit, a short-term rental host must (1) conspicuously post an evacuation diagram identifying all exits from the short-term rental unit and, if applicable, the exits from the building in which the short-term rental unit is located; (2) conspicuously post a list of emergency telephone numbers for law enforcement and fire rescue services; (3) provide a working fire extinguisher; and (4) provide working smoke and carbon monoxide alarms.

A smoke alarm or a carbon monoxide alarm must be installed and maintained in accordance with State, county, and municipal fire codes. If multiple smoke alarms are required to be installed and maintained in the short-term rental unit, each smoke alarm must (1) be interconnected with other smoke alarms so that the activation of one smoke alarm activates all smoke alarms in the unit or (2) comply with an alternative requirement authorized by the State Fire Marshal in consultation with the State Fire Prevention Commission (SFPC). When activated, a smoke alarm or carbon monoxide alarm must sound a specified alarm. A smoke alarm or a carbon monoxide alarm must be replaced if the smoke alarm or smoke detector stops functioning, is more than 10 years old based on the production date marked on the back of the device or has no production date on the back of the device.

A booking service must (1) electronically notify all short-term rental hosts that use the booking service of the fire safety requirements established under the bill and (2) require each short-term rental host that uses the booking service to provide to the booking service confirmation documentation, as specified.

### *Local Inspections and Report*

The bill's provisions regarding local inspections and reporting requirements does not apply to a county or Baltimore City that prohibits short-term rentals in the jurisdiction.

A county or Baltimore City that requires inspections of short-term rentals may establish a fee to cover the cost of inspections of short-term rental units. In consultation with the State Fire Marshal, a county or Baltimore City may delegate the inspection of short-term rental units to a third-party inspector who (1) meets the qualifications, insurance requirements, and procedures established by the State Fire Marshal and (2) is certified by a nationally recognized fire safety organization.

Each county and Baltimore city must submit a report to the State Fire Marshal by July 1, 2028, summarizing (1) each local law or regulation adopted on or after October 1, 2026, governing the inspection of short-term rental units; (2) each local law or regulation in effect before October 1, 2026, governing the inspection of short-term rental units, including the effective date of the law or regulation; (3) the number of short-term rental units in the jurisdiction that are inspected; and (4) the number of short-term rental units in the jurisdiction that are in compliance with the provisions established under the bill, as specified.

If the person conducting the inspection finds a short-term rental unit to be in compliance, the person must provide to the short-term rental host a certificate, receipt, or other documentation of compliance.

The Office of the State Fire Marshal (OSFM) must establish the minimum qualifications, certifications, and licensing for a third-party inspector.

**Current Law:** “Short-term rental” means the temporary use of a short-term rental unit to provide accommodation to transient guests for lodging purposes in exchange for consideration. “Short-term rental unit” means a residential dwelling unit or a portion of the unit designed for short-term rentals. “Short-term rental unit” includes a single-family house or dwelling, a multifamily house or dwelling, an apartment, a condominium, or a cooperative.

### *State Fire Prevention Code*

The State Fire Marshal must enforce all laws of the State relating to, among other things, the prevention of fire and the installation and maintenance of equipment intended to control, detect, or extinguish fire. The State Fire Marshal must also enforce regulations adopted by SFPC. SFPC within the Department of State Police (DSP) must adopt comprehensive regulations as a State Fire Prevention Code. The commission adopted by

reference, subject to some exceptions noted in the regulations, the National Fire Protection Association (NFPA) 1 Fire Code (2024 Edition), the NFPA 101 Life Safety Code (2024 Edition), and some requirements of the International Building Code as the State Fire Prevention Code. The State Fire Prevention Code has the force and effect of law in the political subdivisions of the State, and enforcement is the responsibility of the State Fire Marshal, a legally designated fire official of a county or municipality of the State, or other persons legally appointed by the State Fire Marshal (as specified under the Public Safety Article).

Generally, NFPA 101 Life Safety Code (2024 Edition) includes provisions regarding the placement of portable fire extinguishers throughout specified health care facilities, detention and correctional facilities, and businesses. However, it does not include such provisions regarding short-term rental units.

A person may not knowingly violate Title 6 of the Public Safety Article (SFPC and State Fire Marshal) or a regulation adopted by SFPC. A person who does so is guilty of a misdemeanor and on conviction is subject to imprisonment for up to 10 days and/or a fine of up to \$1,000.

#### *Smoke Alarms Required in Sleeping Areas*

An automatic smoke alarm must be provided in each sleeping area within each residential occupancy, including one- and two-family dwellings, lodging or rooming houses, hotels, dormitories, and apartment buildings, as defined in NFPA 101 Life Safety Code, as adopted by the SFPC. Beginning July 31, 2025, smoke detectors must be installed in accordance with location and spacing requirements established by NFPA in each interior public corridor in a residential rental high-rise building.

Smoke alarms must be installed in accordance with NFPA 72 (National Fire Alarm and Signaling Code), be listed and labeled by a nationally recognized testing laboratory, be suitable for sensing visible or invisible products of combustion, and sound an alarm suitable to warn the occupants, as specified. Local jurisdictions may adopt smoke alarm regulations that are more stringent.

A person may not knowingly violate these provisions. A person who does so is guilty of a misdemeanor and on conviction is subject to imprisonment for up to 10 days and/or a fine of up to \$1,000.

#### *Carbon Monoxide Alarms*

Chapters 174 and 175 of 2016 require all rental dwelling units to install carbon monoxide alarms outside of and within the immediate vicinity of each separate sleeping area and on

every level of each unit (including the basement). A carbon monoxide alarm may be combined with a smoke alarm if the combined device complies with specified standards. Except as part of routine maintenance, a person may not render a carbon monoxide alarm inoperable.

**State Fiscal Effect:** DSP advises that the OSFM can likely handle the bill's requirements regarding the establishment of minimum qualifications, certifications, and licensing for third-party inspectors with existing resources, but only if the bill's reference to licensing means that OSFM must specify licensing requirements for each inspector. To the extent the bill instead requires OSFM to establish a licensure program for third-party inspectors, DSP advises that it must hire additional staff and general fund expenditures increase to administer a licensure program.

**Local Fiscal Effect:** Local expenditures increase to the extent counties must hire additional inspectors to inspect all short-term rental units in their jurisdiction and ensure compliance with the bill's requirements. However, those expenditures may be offset to the extent local governments choose to establish a fee for the inspection of short-term rental units, as authorized under the bill. Montgomery County advises that as of January 2026 it has 721 short-term rental units in the county and must therefore hire one code inspector at an estimated cost of \$152,460 in fiscal 2027. Harford County advises that it does not know how many short-term rental units are in the county but estimates it must hire two new staff to perform inspections at an estimated cost of \$200,000 in fiscal 2027.

It is assumed local governments can submit the required report to OSFM with existing resources.

The application of existing criminal penalty provisions to violations of the bill does not materially affect local expenditures.

**Small Business Effect:** Any small business that owns short-term rental units must procure smoke alarms and portable fire extinguishers for affected units, subject units to annual inspection by local governments, and potentially pay a fee for the inspection established by the local government.

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### **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** SB 624 (Senator Feldman) - Education, Energy, and the Environment.

**Information Source(s):** Harford, Montgomery, and Wicomico counties; Maryland Department of Labor; Department of State Police; National Fire Protection Association; Department of Legislative Services

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Analysis by: Thomas S. Elder

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510