



Committee: TE
Committee Review: At a future date
Staff: Christine Wellons, Chief Legislative Attorney
Purpose: To receive testimony – no vote expected

AGENDA ITEM #3
December 2, 2025
Public Hearing

SUBJECTS

Bill 34-25, Legislative Process – Climate Assessments - Amendments

Lead Sponsors: Councilmembers Balcombe and Luedtke

Co-Sponsor: Councilmember Albornoz

EXPECTED ATTENDEES

Members of the public

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- N/A

DESCRIPTION/ISSUE

Bill 34-25 would:

- (1) amend the contents of climate assessments required for bills of the County Council and zoning text amendments of the District Council; and
- (2) generally amend the law regarding impact statements for County legislation.

SUMMARY OF KEY DISCUSSION POINTS

- N/A

This report contains:

Staff Report	Pages 1-2
Bill 34-25	© 1
Economic Impact Statement	© 4

The Fiscal Impact Statement is not available as of the date of this report.

The RESJ Impact Statement and Climate Assessment are not available as of the date of this report; the statements will be available at: [Racial Equity and Social Justice, Economic, and Climate Impact Statements - Office of Legislative Oversight- Montgomery County, Maryland](#)

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Agenda Item #3
December 2, 2025
Public Hearing

MEMORANDUM

November 26, 2025

TO: County Council

FROM: Christine Wellons, Chief Legislative Attorney

SUBJECT: Bill 34-25, Legislative Process – Climate Assessments – Amendments

PURPOSE: Public Hearing – receive testimony

Bill 34-25, Legislative Process – Climate Assessments - Amendments, was introduced on November 4, 2025. The Lead Sponsors are Councilmembers Balcombe and Ludetke, and Co-Sponsor Councilmember Albornoz. A public hearing on the bill is scheduled for December 2 at 1:30 p.m.

Bill 34-25 would:

- (1) amend the contents of climate assessments required for bills of the County Council and zoning text amendments of the District Council; and
- (2) generally amend the law regarding impact statements for County legislation.

BACKGROUND

Under Section 2-81D of the County Code, the Office of Legislative Oversight (OLO) is required to provide a climate assessment for each bill under consideration by the Council. Similarly, the Planning Board must provide a climate assessment for each zoning text amendment, master plan, and master plan amendment pending before the District Council.

Among other requirements, each Climate Assessment must include evaluations of the identified effects of the bill “upon community resilience and adaptative capacity.” In addition, each assessment “must identify amendments or other recommendations, if any, that would reduce or eliminate any anticipated negative effects of the bill, zoning text amendment, master plan, or master plan amendment upon carbon dioxide removal, sequestration, drawdown, community climate resilience, and adaptive capacity.”

The purpose of Bill 34-25 is to bring additional clarity and consistency to the required evaluation of “community resilience” because, in practice, OLO and the Planning Board have been using similar but slightly different definitions of “community resilience”, a/k/a “community climate resilience.”

BILL SPECIFICS

Bill 34-25 would define “community climate resilience” as “the sustained ability of a network of people to use available resources to withstand, respond, recover, and adapt to future climate hazards.” The term “climate hazard” would mean “a natural disaster or environmental consequence of climate change, such as flooding, extreme temperatures, severe storms, heavy winds, or droughts.”

In addition to defining these terms, the bill would delete from the legislation the term “adaptive capacity” as duplicative because, in practice, “adaptive capacity” is considered to be a subset of “community climate resilience.”

<u>This packet contains:</u>	<u>Circle #</u>
Bill 34-25	1
Economic Impact Statement	4
The Fiscal Impact Statement is not available as of the date of this report.	
The RESJ Impact Statement and Climate Assessment are not available as of the date of this report; the statements will be available at: <u>Racial Equity and Social Justice, Economic, and Climate Impact Statements - Office of Legislative Oversight- Montgomery County, Maryland</u>	

Bill No. 34-25
Concerning: Legislative Process – Climate Assessments - Amendments
Revised: 11/4/2025 Draft No. 2
Introduced: November 4, 2025
Expires: December 7, 2026
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. , Laws of Mont. Co.

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsors: Councilmembers Balcombe and Luedtke
Co-Sponsor: Councilmember Albornoz

AN ACT to:

- (1) amend the contents of climate assessments required for bills of the County Council and zoning text amendments of the District Council; and
- (2) generally amend the law regarding impact statements for County legislation.

By amending

Chapter 2, Administration
Section 2-81D

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
<u>[Single boldface brackets]</u>	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
<u>[[Double boldface brackets]]</u>	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. Section 2-81D is amended as follows:

2-81D. Climate Assessments.

(a) *Definitions.* In this Section, the following terms have the meanings indicated.

Climate hazard means a natural disaster or environmental consequence of climate change, such as flooding, extreme temperatures, severe storms, heavy winds, or droughts.

Community climate resilience means the sustained ability of a network of people to use available resources to withstand, respond, recover, and adapt to future climate hazards.

Director means the Director of the Office of Legislative Oversight or the Director's designee.

Planning Board means the Montgomery County Planning Board.

(b) *Climate assessments required.*

(1) The Director must submit an assessment to the Council describing the climate impact, if any, of each bill under consideration by the Council.

(2) The Planning Board must submit an assessment to the District Council describing the climate impact, if any, of each zoning text amendment, master plan, and master plan amendment under consideration by the District Council.

(c) *Time for submission.*

* * *

(d) *Contents of climate assessment.*

(1) Each climate assessment must include:

- (A) the sources of information, assumptions, and methodologies used;
- (B) a description of variables that could affect the assessment; and
- (C) if a bill, zoning text amendment, master plan, or master plan amendment is likely to have no climate impact, why that is the case.

(2) Each climate assessment must include:

- (A) the potential positive or negative effects, if any, of the bill, zoning text amendment, master plan, or master plan amendment upon climate change;
- (B) quantitative or qualitative evaluations of the identified effects upon greenhouse gas emissions, sequestration, and carbon drawdown; and
- (C) quantitative or qualitative evaluations of the identified effects upon community climate resilience [and adaptative capacity].

(3) Each climate assessment must identify amendments or other recommendations, if any, that would reduce or eliminate any anticipated negative effects of the bill, zoning text amendment, master plan, or master plan amendment upon carbon dioxide removal, sequestration, drawdown, and community climate resilience[, and adaptive capacity].

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(3)

Economic Impact Statement

Montgomery County, Maryland

Bill 34-25 – Legislative Process – Climate Assessments – Amendments

Summary

Bill 34-24 would revise requirements for Climate Assessments on Bills and Zoning Text Amendments by modifying the definitions of "community climate resilience" and "climate hazard," and removing the term "adaptive capacity" from the legislation. As required by Section 2-81B of the Montgomery County Code, OLO must prepare economic impact statement for every Bill introduced by the Council. However, since OLO is responsible for preparing climate assessments, the office cannot provide an independent assessment of the Bill in terms of its economic impacts.

Background and Purpose of Bill 34-25

Under Section 2-81D of the County Code, OLO must prepare a climate assessment for every Bill introduced by the Council. Likewise, the Planning Board is responsible for providing a climate assessment for each Zoning Text Amendment (ZTA), master plan, and master plan amendment considered by the District Council.¹

Each climate assessment must include an analysis of how the proposal would affect "community resilience and adaptive capacity" and recommend any amendments or actions that could mitigate negative climate impacts of the Bill or ZTA.²

Bill 34-24 would modify the contents of climate assessments required for Bills and ZTAs. Specifically, the Bill would:

- Define "community climate resilience" as "the sustained ability of a network of people to use available resources to withstand, respond, recover, and adapt to future climate hazards."
- Define "climate hazard" as "a natural disaster or environmental consequence of climate change, such as flooding, extreme temperatures, severe storms, heavy winds, or droughts."
- Delete from legislation the term "adaptive capacity" on grounds that is a subset of "community climate resilience."³

The Council introduced Bill 34-25 on November 4, 2025.

Information Sources, Methodologies, and Assumptions

As required by Section 2-81B of the Montgomery County Code, this Economic Impact Statement evaluates the impacts of Bills on residents and private organizations, using the Council's priority economic indicators as the measure. In doing so, it examines whether Bills would have a net positive or negative impact on overall economic conditions in the County.¹ However, analysis of bills affecting OLO's work program is not undertaken as part of this evaluation's responsibilities.

¹ Montgomery County Code, "[Sec. 2-81B, Economic Impact Statements](#)."

Variables

Not applicable

Impacts

WORKFORCE ▪ TAXATION POLICY ▪ PROPERTY VALUES ▪ INCOMES ▪ OPERATING COSTS ▪ PRIVATE SECTOR CAPITAL INVESTMENT ▪ ECONOMIC DEVELOPMENT ▪ COMPETITIVENESS

Residents

Not applicable

Businesses, Non-Profits, Other Private Organizations

Not applicable

Net Impact

Not applicable

Discussion Items

Not applicable

Caveats

Two caveats to the economic impact analysis conducted here should be noted. First, predicting the economic impacts of legislation is a challenging analytical endeavor due to data limitations, the multitude of causes of economic outcomes, economic shocks, uncertainty, and other factors. Second, the analysis performed here is intended to *inform* the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the Bill under consideration.

Contributions

Stephen Roblin, PhD (OLO) prepared this report.