

Expedited Bill No. 19-26
Concerning: Buildings – Moratorium on
Permits for Data Centers –
Established
Revised: 7/28/2026 Draft No. 5
Introduced: May 5, 2026
Enacted: July 28, 2026
Executive: _____
Effective: _____
Sunset Date: _____
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Glass

AN EXPEDITED ACT to:

- (1) establish a temporary moratorium on permits for a data center issued by the Department of Permitting Services; and
- (2) generally amend the laws governing buildings and permitting in the County.

By adding
Montgomery County Code
Chapter 8, Buildings
Section 8-25C

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

1 **Sec. 1. Section 8-25C is added as follows:**

2 **8-25C. Permits for data center – moratorium.**

3 (a) *Purpose.* The purpose of this Section is to allow time for the County to
4 study, evaluate, and adopt appropriate laws, zoning requirements, or
5 regulations regarding the permitting of data centers in the County.

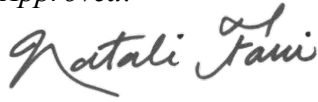
6 (b) *Definition.* In this Section, a *data center* means a building or group of
7 buildings, which has or is projected to have an aggregate monthly
8 electricity demand of at least 25 megawatts (MW), used to house
9 computer or network systems, computer storage equipment, or
10 computer servers to store, manage, process, and transmit digital data.
11 *Data center* includes associated infrastructure such as backup and on-
12 site operational power generation, fuel storage, electrochemical energy
13 storage, electrical substations and distribution, center cooling, and heat
14 dissipation facilities. *Data center* does not include a facility used
15 primarily for manufacturing, quantum computing research, biomedical
16 research, or medical care. *Data Center* does not include an institution
17 of higher education approved to operate in Maryland by the Maryland
18 Higher Education Commission. [[a building or group of buildings used
19 to house computer systems, computer storage equipment, and
20 associated infrastructure that businesses or other organizations use to
21 organize, process, store, and disseminate large amounts of data. A *data*
22 *center* does not include a Cable Communications System as defined
23 under Chapter 59 of the County's Zoning Ordinance.]]

24 (c) *Moratorium – established.* The Director must not accept, review, or
25 issue a building or grading permit for an application for a data center
26 during the effective period of this Section.

27 **Sec. 2. Expedited Effective Date; Transition.** The Council declares that this
28 legislation is necessary for the immediate protection of the public interest. This Act
29 takes effect on the date on which it becomes law. The amendments in Section 1 apply
30 to a conditional use application for a data center that: (1) is filed [[prospectively]]
31 with the Office of Zoning and Administrative Hearing (OZAH) before or after the
32 effective date of this Act; (2) is pending regulatory review before OZAH but not yet
33 approved; or (3) is approved by OZAH but [[without]] a permit has not been issued
34 by the Department of Permitting Services.

35 **Sec. 3. Sunset.** This Act must expire [[six]] 18 months after its effective date,
36 with no further force or effect of law.

Approved:



Natali Fani-González, President, County Council

July 28, 2026

Date

Approved:

Marc Elrich, County Executive

Date

This is a correct copy of Council action.

Sara R. Tenenbaum, Clerk of the Council

Date