



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

Attachment A

AGENDA ITEM #7A
November 4, 2025
Introduction

SUBJECTS

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

Lead Sponsors: Councilmembers Balcombe and Luedtke

EXPECTED ATTENDEES

None

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
Bill 34-25

Pages 1-2
© 1

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M E M O R A N D U M

October 30, 2025

TO: County Council

FROM: Christine Wellons, Chief Legislative Attorney

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

PURPOSE: Introduction – no Council votes required

Bill 34-25, Legislative Process – Climate Assessments - Amendments, is scheduled for introduction on November 4, 2025. The Lead Sponsors are Councilmembers Balcombe and Ludetke. A public hearing on the bill is tentatively 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.”

This packet contains:
Bill 34-25

Circle #
1

Bill No. 34-25
Concerning: Legislative Process –
Climate Assessments - Amendments
Revised: 10/21/2025 Draft No. 1
Introduced: _____
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

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>
[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:

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 adaptive 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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