

# SENATE BILL 1053

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By: **Senator Glassman**

Introduced and read first time: February 19, 2014

Assigned to: Rules

Re-referred to: Finance, February 27, 2014

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Committee Report: Favorable

Senate action: Adopted with floor amendments

Read second time: March 14, 2014

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

### 2 **Maryland Building Performance Standards – Energy Codes – Local Authority**

3 FOR the purpose of authorizing a local jurisdiction to adopt local amendments to the  
4 Maryland Building Performance Standards that are equivalent to the  
5 requirements of certain international energy conservation and energy efficiency  
6 codes; and generally relating to building performance standards.

7 BY repealing and reenacting, with amendments,  
8 Article – Public Safety  
9 Section 12–504  
10 Annotated Code of Maryland  
11 (2011 Replacement Volume and 2013 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

### 14 **Article – Public Safety**

15 12–504.

16 (a) (1) A local jurisdiction may adopt local amendments to the Standards  
17 if the local amendments do not:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (i) prohibit the minimum implementation and enforcement  
2 activities set forth in § 12–505 of this subtitle;

3 (ii) weaken energy conservation and efficiency provisions  
4 contained in the Standards;

5 (iii) except as provided in paragraph (3) of this subsection,  
6 weaken the automatic fire sprinkler systems provisions for townhouses and one– and  
7 two–family dwellings contained in the Standards; or

8 (iv) weaken wind design and wind–borne debris provisions  
9 contained in the Standards.

10 (2) (i) Regardless of whether the International Green Construction  
11 Code is adopted by the Department under § 12–503(d) of this subtitle, a local  
12 jurisdiction may adopt the International Green Construction Code.

13 (ii) A local jurisdiction may make local amendments to the  
14 International Green Construction Code.

15 (3) Paragraph (1)(iii) of this subsection does not apply to:

16 (i) standards governing issuance of a building permit for a  
17 property not connected to an electrical utility; or

18 (ii) until January 1, 2016, standards governing issuance of a  
19 building permit for a new one– or two–family dwelling constructed on:

20 1. a lot subject to a valid unexpired public works utility  
21 agreement that was executed before March 1, 2011; or

22 2. a lot served by an existing water service line from a  
23 water main to the property line that:

24 A. is less than a nominal 1–inch size;

25 B. is approved and owned by the public or private water  
26 system that owns the mains;

27 C. was installed before March 1, 2011; and

28 D. is fully operational from the public or private main to  
29 a curb stop or meter pit located at the property line.

30 (b) If a local jurisdiction adopts a local amendment to the Standards, the  
31 Standards as amended by the local jurisdiction apply in the local jurisdiction.

1 (c) (1) If a local amendment conflicts with the Standards, the local  
2 amendment prevails in the local jurisdiction.

3 (2) A LOCAL JURISDICTION MAY ADOPT LOCAL AMENDMENTS TO  
4 THE STANDARDS THAT ARE EQUIVALENT TO THE REQUIREMENTS OF:

5 (I) THE INTERNATIONAL ENERGY CONSERVATION CODE;  
6 ~~OR~~

7 (II) CHAPTER 13, "ENERGY EFFICIENCY", OF THE  
8 INTERNATIONAL BUILDING CODE; OR

9 (III) CHAPTER 11, "ENERGY EFFICIENCY", OF THE  
10 INTERNATIONAL RESIDENTIAL CODE.

11 (d) A local jurisdiction that adopts a local amendment to the Standards shall  
12 ensure that the local amendment is adopted in accordance with applicable local law.

13 (e) To keep the database established under this subtitle current, a local  
14 jurisdiction that adopts a local amendment to the Standards shall provide a copy of  
15 the local amendment to the Department:

16 (1) at least 15 days before the effective date of the amendment; or

17 (2) within 5 days after the adoption of an emergency local amendment.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 October 1, 2014.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.