

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 1033

(Senator Carter)

Education, Energy, and the Environment

Environment and Transportation

**Maryland Building Performance Standards - Local Requests for Guidance -
Religious Considerations**

This bill requires the Maryland Department of Labor (MDL), on request by a local jurisdiction and in consultation with the Office of the Attorney General (OAG), to provide guidance for the implementation and enforcement of the Maryland Building Performance Standards (MBPS) in relation to any religious observance, practice, or belief.

Fiscal Summary

State Effect: MDL and OAG can handle the bill's requirements with existing budgeted resources. Revenues are not affected.

Local Effect: The bill is not anticipated to materially affect local government operations or finances.

Small Business Effect: Minimal.

Analysis

Current Law: MDL currently incorporates by reference the International Building Code (IBC) (2021 Edition), including the International Energy Conservation Code (IECC) (2021 Edition), with modifications, as MBPS. In general, the standards apply to all buildings and structures within the State for which a building permit application is received by a local government. Chapter 38 of 2022 (the Climate Solutions Now Act) required MDL to adopt IECC (2018 Edition) by January 1, 2023, and to adopt each subsequent version of IECC within 18 months after it is issued.

Each local jurisdiction must implement and enforce the most current version of MPBS and any local amendments to MPBS. In addition, any modification to MBPS adopted by the State after December 31, 2009, must be implemented and enforced by a local jurisdiction no later than 12 months after the modifications are adopted by the State.

MDL may develop a voluntary forum that may be used, on request of a local jurisdiction, to resolve conflicts that involve MBPS. In addition, MDL must (1) notify each local jurisdiction of each change to IBC and the impact the change will have on the local amendments in that local jurisdiction; (2) in conjunction with the Maryland Building Officials Association and other interested organizations, provide training for local building officials on MBPS and certify the participation of local building officials in the training; and (3) on request, provide a local jurisdiction with technical assistance to implement and enforce MBPS.

Additional Information

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

Designated Cross File: HB 926 (Delegate Griffith) - Environment and Transportation.

Information Source(s): Prince George's County; Office of the Attorney General; Maryland Department of Labor; Department of Legislative Services

Fiscal Note History: First Reader - February 22, 2024
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