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Written Testimony

**SB1033 - Maryland Building Performance Standards – Local Requests for
 Guidance – Religious Considerations**

**Senate Education, Energy, and the Environment Committee
 March 1, 2024**

Support

Senate Bill 1033 would help ensure religious freedom in Maryland by allowing local jurisdictions, in consultation with the Office of the Attorney General (AG), to provide guidance for the implementation and enforcement of the Maryland Building Performance Standards (MBPS) in relation to any religious observance, practice, or belief. The Maryland Department of Labor (MDL) incorporates the International Energy Conservation Code (IECC 2021 addition). 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.

The current specific religious freedom issue is the required use of auto motion sensor lights. These lights automatically turn on whenever a person enters the space. Requiring buildings, including synagogues, to always have motion sensor lights, including on Shabbat, violates Jewish law. The violation is that on Shabbat observant Jews do not use electricity. When one walks into a room and the light turns on due to the sensor, this is considered using electricity. While we understand and support environmental standards for buildings, when those standards interfere with religious practices, it goes against the foundations of our country and our state. HB926 is a simple fix that allows the AG, when asked by local jurisdictions, to provide guidance for questions of religious practice, as it relates to the implementation and enforcement of the MBPS.

For these reasons, we urge to committee for a favorable report on SB1033.

The Baltimore Jewish Council, a coalition of central Maryland Jewish organizations and congregations, advocates at all levels of government, on a variety of social welfare, economic and religious concerns, to protect and promote the interests of The Associated: Jewish Community Federation of Baltimore, its agencies and the Greater Baltimore Jewish community.