



THE SENATE OF MARYLAND
Annapolis, Maryland 21401

Testimony of Senator Jill P. Carter
In Favor of SB1033 – Maryland Building Performance Standards -
Local Requests for Guidance - Religious Considerations
Education, Energy, and the Environment Committee
On March 1st 2024

Mr. Chairman, Vice Chair, and Members of the Committee:

Senate Bill 1033 will require that 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.

Current Maryland law states that the Maryland Department of Labor incorporates by reference the International Building Code, including the International Energy Conservation Code (IECC), with modifications, as Maryland Building Performance Standards (MBPS). Each local jurisdiction must implement and enforce the most current version of MBPS and any local amendments to MBPS. 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.

This bill would help ensure religious freedom in Maryland as it relates to environmental standards for buildings. Current standards that require buildings including synagogues to use auto motion sensor lights, which interfere with Sabbath and Jewish law. On Sabbath, Jews that observe the day do not use electricity from sunset on Friday to sunset on Saturday. If a Jewish person were to enter a synagogue for example and the light turns on due to the sensor, this is considered as using electricity. This would violate the laws of Sabbath and interfere with the religious freedoms of the Jewish community. While I understand that the standards are in place to support environmental concerns, it is important that we ensure that any standards do not interfere with religious practices and beliefs.

In addition the bill would modify the Public Safety Article in which the Building Performance Standards are addressed by incorporating a provision allowing a local jurisdiction to request input from the Attorney General's Office on how to appropriately address religious concerns when and where they arise and are presented. This would resolve any potential issues that arise of religious observance relating to the standards without affecting the intent of the IECC.

As such, we respectfully urge you to issue a favorable report on Senate Bill 1033. Thank you for your time.

Respectfully,

Senator Jill P. Carter