



SB0804 - SUPPORT
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SB0804, The Better Buildings Act

Meeting of the Education, Energy, and the Environment Committee

February 27, 2025

Dear Chair Feldman, Vice Chair Kagan, and Members of the Committee, on behalf of Elders Climate Action Maryland, I urge a favorable report on HB0973, the Better Buildings Act.

Elders Climate Action is a nationwide organization devoted to ensuring that our children, grandchildren, and future generations have a world in which they can thrive. The Maryland Chapter has members across the state.

Each day, we see the climate crisis more clearly. We know that Maryland is at risk for sea level rise, flooding from intense rainfall, heat waves, and other extreme weather events. Maryland can also be a leader in moving us to a safer, cleaner future where we all can thrive.

Buildings are a major source of climate-warming greenhouse gas emissions as well as NOx and other air pollutants that [damage our health](#)¹. They cause as three times as much smog-forming pollution as all of our state's power plants combined. In 2017, that was estimated to cause 3500 cases of asthma, 163 deaths, and \$1.3 billion dollars in health care impacts in Maryland.

The Better Buildings Act will reduce energy costs and improve our health by requiring all newly constructed buildings to meet their space and water heating needs without fossil fuels. It also sets high standards for energy efficiency and includes a provision for solar-readiness in buildings with less than twenty stories.

A 2021 study by the Maryland Commission on Climate Change showed that [all-electric new buildings would be cheaper](#)² to build and to operate than buildings using fossil fuels.

A gas furnace installed today is expected to last about 25 years. Building right from the start protects building owners and residents from stranded assets, outdated equipment, and rising energy costs.

Many people are worried about the grid, but this bill is grid-friendly. The PJM grid is summer-peaking. New buildings will be a small portion of the demands on the grid in the coming years. The energy-efficiency provisions of the bill will minimize any summer increase. There will be an increase in demand in the winter but that is something the grid can handle. As the Maryland Public Service Commission recently said in their Assessment of Electrification Impacts on the Maryland Electric Grid, “High level of electrification can be handled by Maryland’s electric systems...”

Others have expressed concern that the Better Buildings Act could be overturned because of the litigation against a gas ban in Berkeley, California. That decision in the Ninth Circuit does not apply in Maryland. There have been suits brought in Montgomery County and the District of Columbia seeking to overturn similar laws. We do not expect the judges in the Fourth Circuit to rule in the same way as the Ninth Circuit.

The Better Buildings Act was drafted after the Berkeley decision with the possibility of a similar decision in mind. The bill takes a “belt and suspenders” approach including [zero fuel bias](#)³ and a severability clause that ensure the bill would continue to be effective. It also includes energy-efficiency provisions that are unlikely to be challenged.

For all of these reasons, we strongly urge a favorable report on SB0804.

Thank you.

¹ <https://www.greenandhealthyhomes.org/publication/cutting-through-the-smog/>

² [https://mde.maryland.gov/programs/air/ClimateChange/MCCC/Commission/Building Energy Transition Plan - MCCC approved.pdf](https://mde.maryland.gov/programs/air/ClimateChange/MCCC/Commission/Building_Energy_Transition_Plan_-_MCCC_approved.pdf)

³ <https://rmi.org/event/webinar-zero-fuel-bias-energy-codes/>