

HOUSE BILL 339

N1

5lr2042

By: **Delegates Lehman, Allen, Foley, Harris, J. Long, Martinez, Pena–Melnyk, Ruth, Solomon, Stein, Stewart, Taveras, Taylor, Terrasa, Woods, ~~and Ziegler~~ Ziegler, Healey, and R. Lewis**

Introduced and read first time: January 13, 2025

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 26, 2025

CHAPTER _____

1 AN ACT concerning

2 **Real Property – Residential Rental Apartments – Air–Conditioning**
3 **Requirements**

4 FOR the purpose of requiring a landlord to provide air–conditioning to certain residential
5 rental units in a certain manner; and generally relating to air–conditioning
6 requirements for residential rental units.

7 BY adding to

8 Article – Real Property

9 Section 8–121

10 Annotated Code of Maryland

11 (2023 Replacement Volume and 2024 Supplement)

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

14 **Article – Real Property**

15 **8–121.**

16 **(A) ~~IN THIS SECTION, “HVAC SYSTEM” MEANS A HEATING, VENTILATING,~~**
17 **~~AND AIR–CONDITIONING SYSTEM.~~**

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 ~~(B)~~ (A) (1) THIS SECTION APPLIES ONLY TO RESIDENTIAL RENTAL
2 UNITS IN APARTMENT BUILDINGS WITH FOUR OR MORE INDIVIDUAL DWELLING
3 UNITS.

4 (2) THIS SECTION DOES NOT APPLY TO RESIDENTIAL RENTAL UNITS
5 LOCATED IN PROPERTY LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES.

6 ~~(C)~~ (B) A LANDLORD SHALL PROVIDE AIR-CONDITIONING IN EACH
7 RESIDENTIAL UNIT IN ACCORDANCE WITH SUBSECTION ~~(D)~~ (C) OF THIS SECTION AS
8 FOLLOWS:

9 (1) BEGINNING JUNE 1, 2025, FOR NEWLY CONSTRUCTED
10 RESIDENTIAL RENTAL UNITS; AND

11 (2) BEGINNING OCTOBER 1, 2025, FOR RESIDENTIAL RENTAL UNITS
12 THAT UNDERGO ~~AN UPGRADE OR MAINTENANCE TO THE UNIT'S HVAC SYSTEM~~
13 ~~THAT MEETS THE THRESHOLD OF "ALTERATION" OUTLINED IN THE AMERICAN~~
14 ~~SOCIETY OF HEATING, REFRIGERATING, AND AIR-CONDITIONING ENGINEERS~~
15 ~~(ASHRAE) STANDARD 90.1 (ENERGY STANDARD FOR SITES AND BUILDINGS~~
16 ~~EXCEPT LOW-RISE RESIDENTIAL BUILDINGS)~~ RENOVATION THAT INCLUDES THE
17 REPLACEMENT OR SUBSTANTIAL UPGRADE OF ELECTRICAL SYSTEMS OR HEATING
18 SYSTEMS.

19 ~~(D)~~ ~~(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, EACH YEAR~~
20 ~~FROM JUNE 1 TO SEPTEMBER 30, BOTH INCLUSIVE, A LANDLORD SHALL PROVIDE~~
21 ~~AIR-CONDITIONING IN EACH RESIDENTIAL UNIT;~~

22 ~~(I) AT A TEMPERATURE IN THE 90% ACCEPTABILITY~~
23 ~~THRESHOLD OF THE ASHRAE STANDARD 55 (THERMAL ENVIRONMENTAL~~
24 ~~CONDITIONS FOR HUMAN OCCUPANCY) AT 3 FEET ABOVE THE FLOOR LEVEL IN~~
25 ~~EACH HABITABLE SPACE IN THE UNIT; AND~~

26 ~~(H) IF A DAY'S 24-HOUR TEMPERATURE AVERAGE IS EXPECTED~~
27 ~~TO BE GREATER THAN 92.3 DEGREES FAHRENHEIT, AT A TEMPERATURE IN THE 80%~~
28 ~~ACCEPTABILITY THRESHOLD OF THE ASHRAE STANDARD 55 AT 3 FEET ABOVE THE~~
29 ~~FLOOR LEVEL IN EACH HABITABLE SPACE IN THE UNIT.~~

30 ~~(2) (I) FOR AN AIR-CONDITIONING SYSTEM THAT IS NOT UNDER~~
31 ~~THE CONTROL OF THE TENANT, THE LANDLORD SHALL MAINTAIN THE~~
32 ~~TEMPERATURE IN THE UNIT IN ACCORDANCE WITH PARAGRAPH (1) OF THIS~~
33 ~~SUBSECTION.~~

34 ~~(H) FOR AN AIR-CONDITIONING SYSTEM THAT IS UNDER THE~~
35 ~~CONTROL OF THE TENANT, THE LANDLORD SHALL ENSURE THAT THE~~

1 ~~AIR-CONDITIONING SYSTEM IS IN GOOD WORKING ORDER AND IS CAPABLE OF~~
2 ~~MAINTAINING THE TEMPERATURE IN THE UNIT IN ACCORDANCE WITH PARAGRAPH~~
3 ~~(1) OF THIS SUBSECTION.~~

4 (C) EXCEPT AS OTHERWISE NECESSARY FOR PURPOSES OF REASONABLE
5 MAINTENANCE AND REPAIR, EACH YEAR FROM JUNE 1 TO SEPTEMBER 30, BOTH
6 INCLUSIVE, A LANDLORD SHALL PROVIDE AIR-CONDITIONING IN EACH
7 RESIDENTIAL UNIT AS FOLLOWS:

8 (1) FOR AN AIR-CONDITIONING SYSTEM THAT IS NOT UNDER THE
9 CONTROL OF THE TENANT, THE LANDLORD SHALL MAINTAIN THE TEMPERATURE IN
10 THE UNIT AT NOT GREATER THAN 80 DEGREES FAHRENHEIT AT 3 FEET ABOVE THE
11 FLOOR LEVEL IN EACH HABITABLE SPACE IN THE UNIT; AND

12 (2) FOR AN AIR-CONDITIONING SYSTEM THAT IS UNDER THE
13 CONTROL OF THE TENANT, THE LANDLORD SHALL ENSURE THAT THE
14 AIR-CONDITIONING SYSTEM IS IN GOOD WORKING ORDER AND IS CAPABLE OF
15 MAINTAINING THE TEMPERATURE IN THE UNIT AT NOT GREATER THAN 80 DEGREES
16 FAHRENHEIT AT 3 FEET ABOVE THE FLOOR LEVEL IN EACH HABITABLE SPACE IN
17 THE UNIT.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
19 apply only prospectively and may not be applied or interpreted to have any effect on or
20 application to any building construction or renovation for which the building permit is
21 issued before the effective date of this Act.

22 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
23 1, 2025.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.