

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**

Introduced and read first time: January 13, 2025

Assigned to: Environment and Transportation

A BILL ENTITLED

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.**

18 **(B) (1) THIS SECTION APPLIES ONLY TO RESIDENTIAL RENTAL UNITS IN**
19 **APARTMENT BUILDINGS.**

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (C) A LANDLORD SHALL PROVIDE AIR-CONDITIONING IN EACH
2 RESIDENTIAL UNIT IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION AS
3 FOLLOWS:

4 (1) BEGINNING JUNE 1, 2025, FOR NEWLY CONSTRUCTED
5 RESIDENTIAL RENTAL UNITS; AND

6 (2) BEGINNING OCTOBER 1, 2025, FOR RESIDENTIAL RENTAL UNITS
7 THAT UNDERGO AN UPGRADE OR MAINTENANCE TO THE UNIT'S HVAC SYSTEM
8 THAT MEETS THE THRESHOLD OF "ALTERATION" OUTLINED IN THE AMERICAN
9 SOCIETY OF HEATING, REFRIGERATING, AND AIR-CONDITIONING ENGINEERS
10 (ASHRAE) STANDARD 90.1 (ENERGY STANDARD FOR SITES AND BUILDINGS
11 EXCEPT LOW-RISE RESIDENTIAL BUILDINGS).

12 (D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, EACH YEAR
13 FROM JUNE 1 TO SEPTEMBER 30, BOTH INCLUSIVE, A LANDLORD SHALL PROVIDE
14 AIR-CONDITIONING IN EACH RESIDENTIAL UNIT:

15 (I) AT A TEMPERATURE IN THE 90% ACCEPTABILITY
16 THRESHOLD OF THE ASHRAE STANDARD 55 (THERMAL ENVIRONMENTAL
17 CONDITIONS FOR HUMAN OCCUPANCY) AT 3 FEET ABOVE THE FLOOR LEVEL IN
18 EACH HABITABLE SPACE IN THE UNIT; AND

19 (II) IF A DAY'S 24-HOUR TEMPERATURE AVERAGE IS EXPECTED
20 TO BE GREATER THAN 92.3 DEGREES FAHRENHEIT, AT A TEMPERATURE IN THE 80%
21 ACCEPTABILITY THRESHOLD OF THE ASHRAE STANDARD 55 AT 3 FEET ABOVE THE
22 FLOOR LEVEL IN EACH HABITABLE SPACE IN THE UNIT.

23 (2) (I) FOR AN AIR-CONDITIONING SYSTEM THAT IS NOT UNDER
24 THE CONTROL OF THE TENANT, THE LANDLORD SHALL MAINTAIN THE
25 TEMPERATURE IN THE UNIT IN ACCORDANCE WITH PARAGRAPH (1) OF THIS
26 SUBSECTION.

27 (II) FOR AN AIR-CONDITIONING SYSTEM THAT IS UNDER THE
28 CONTROL OF THE TENANT, THE LANDLORD SHALL ENSURE THAT THE
29 AIR-CONDITIONING SYSTEM IS IN GOOD WORKING ORDER AND IS CAPABLE OF
30 MAINTAINING THE TEMPERATURE IN THE UNIT IN ACCORDANCE WITH PARAGRAPH
31 (1) OF THIS SUBSECTION.

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

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
2 1, 2025.