

Chapter 664

(Senate Bill 12)

AN ACT concerning

Residential Rental Apartments – Air-Conditioning Requirement

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

BY adding to

Article – Real Property

Section 8-122

Annotated Code of Maryland

(2023 Replacement Volume and 2025 Supplement)

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

Article – Real Property

8-122.

(A) (1) THIS SECTION APPLIES ONLY TO RESIDENTIAL RENTAL UNITS IN APARTMENT BUILDINGS WITH ~~FOUR~~ 10 OR MORE INDIVIDUAL DWELLING UNITS.

(2) THIS SECTION DOES NOT APPLY TO A RESIDENTIAL RENTAL UNIT THAT IS:

~~(I) LOCATED~~ LOCATED ON PROPERTY LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES;

~~(II) PART OF A HOUSING AUTHORITY OF BALTIMORE CITY DEVELOPMENT BUILT BETWEEN 1940 AND 1950, INCLUSIVE; OR~~

~~(III) A ROWHOUSE PUBLIC HOUSING UNIT ACQUIRED AND REHABILITATED BY THE HOUSING AUTHORITY OF BALTIMORE CITY BETWEEN 1960 AND 1997, INCLUSIVE.~~

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

(1) BEGINNING JUNE 1, 2026, FOR NEWLY CONSTRUCTED RESIDENTIAL RENTAL UNITS; ~~AND~~

(2) BEGINNING JUNE 1, 2026, FOR RESIDENTIAL RENTAL UNITS WHERE, AT ANY TIME ON OR AFTER JANUARY 1, 2025:

(I) THE LANDLORD EQUIPPED THE UNIT WITH AIR-CONDITIONING OR PROVIDED AIR-CONDITIONING; OR

(II) A LEASE REQUIRED THE LANDLORD TO PROVIDE AIR-CONDITIONING FOR THE UNIT; AND

(3) BEGINNING OCTOBER 1, 2026, FOR RESIDENTIAL RENTAL UNITS THAT UNDERGO RENOVATION THAT INCLUDES THE REPLACEMENT OR SUBSTANTIAL UPGRADE OF ELECTRICAL SYSTEMS OR HEATING SYSTEMS.

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

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

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

~~(D) THIS SECTION SHALL PREEMPT AND SUPERSEDE A LOCAL LAW, ORDINANCE, POLICY, OR REGULATION ENACTED BY A POLITICAL SUBDIVISION OR AGENCY THAT IMPOSES AIR-CONDITIONING REQUIREMENTS INCONSISTENT WITH THIS SECTION.~~

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

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2026.

Approved by the Governor, May 26, 2026.