



**International Code Council**  
500 New Jersey Avenue, NW  
Sixth Floor  
Washington, DC 20001  
t: 888.ICC.SAFE (422.7233)  
t: 202.370.1800  
f: 202.783.2348  
[www.iccsafe.org](http://www.iccsafe.org)

**HB 1165 – Support with Amendments**  
**Capital Projects - High Performance and Green Buildings**  
**Appropriations Committee**

Dear Chair McIntosh, Bill Sponsor Forbes, and Members of the Committee,

The International Code Council supports the passage of HB 1165, provided that minor amendments that will strengthen this bill by benefiting a broader group are made. Our proposed language changes are attached.

The Code Council is a member-focused nonprofit association with over 64,000 members (1,200 of whom call Maryland home) that develops model building codes, the I-Codes, used in the design, build and compliance process to construct safe, sustainable, affordable and resilient structures. Maryland chooses the International Codes (I-Codes) as its regulatory foundation for the built environment adopting and adapting the International Residential Code, the International Building Code, the International Plumbing Code, the International Mechanical Code, the International Fuel Gas Code, the International Green Construction Code, the International Property Maintenance Code, the International Existing Building Code, and the International Energy Conservation Code, all of which are updated every three years using a nationally recognized consensus-based process.

The attached section, 3-602.1(a)(iii), clarifies the definition of a high-performance building to include achievement of a certification under the latest edition of LEED or compliance with a nationally recognized and accepted green building code. Given the existing recognition of green building codes as a compliance path in legislation and the state's current adoption of the International Green Construction Code we would strongly encourage naming the latest edition of the International Green Construction Code explicitly as one method to meet Section 3-602.1(a)(iii).

The International Green Construction Code is jointly developed by ICC, ASHRAE and the U.S. Green Building Council and is aligned with many of the goals and strategies contained in LEED. We hope you will consider the attached language as an opportunity to create consistency with the codes already used in the state and provide a similar level of recognition provided to LEED.

Additionally, the International Energy Conservation Code also developed by ICC and adopted by the state includes appendices for the achievement of zero energy buildings. We recommend designating those appendices as compliance pathways for achievement of the requirements in Section 3-602.1(a)(II)(2).

Thank you for your service,

*Jacob Karson*

Jacob Karson  
Government Relations Coordinator  
International Code Council  
[jkarson@iccsafe.org](mailto:jkarson@iccsafe.org)

1 ACCORDING TO the [current] MOST RECENT version of the U.S. Green Building Council's  
2 LEED (Leadership in Energy and Environmental Design) Green Building Rating System  
3 [Silver rating];

4 (II) IS A SCHOOL OR PUBLIC SAFETY BUILDING THAT:

5 1. ACHIEVES AT LEAST A CERTIFIED RATING  
6 ACCORDING TO THE MOST RECENT VERSION OF THE U.S. GREEN BUILDING  
7 COUNCIL'S LEED GREEN BUILDING RATING SYSTEM; AND

8 2. BASED ON THE BUILDING'S LOCATION, ACHIEVES 5  
9 POINTS OR LESS IN THE COMBINED CREDITS FOR ACCESS TO QUALITY TRANSIT AND  
10 SURROUNDING DENSITY AND DIVERSE USES;

11 [(ii)] (III) achieves at least a comparable numeric rating according  
12 to a nationally recognized, accepted, and appropriate numeric sustainable development  
13 rating system, guideline, or standard approved by the Secretaries of Budget and  
14 Management and General Services; or

15 [(iii)] (IV) complies with the most recent edition of the International  
16 Green Construction Code or other nationally recognized ~~and accepted~~  
17 green  
18 building code, guideline, or standard reviewed and recommended by the Maryland Green  
19 Building Council and approved by the Secretaries of Budget and Management and General  
20 Services.

21 (3) "Major renovation" means the renovation of a building where:

22 (i) [the building shell is to be reused for the new construction] THE  
23 RENOVATION EXCEEDS 50% OF THE BUILDING AREA;

24 (ii) [the heating, ventilating, and air conditioning (HVAC),  
25 electrical, and plumbing systems are to be replaced] THE VALUE OF THE RENOVATION  
26 EXCEEDS 50% OF THE ASSESSED VALUE OF THE BUILDING; [and]

27 (iii) [the scope of the renovation is 7,500 square feet or greater]  
28 THERE IS A CHANGE IN OCCUPANCY LOAD OR OCCUPANCY CLASSIFICATION; OR

29 (IV) THE HEATING, VENTILATING, AND AIR CONDITIONING  
30 (HVAC), PLUMBING, OR ELECTRICAL SYSTEM IS BEING REPLACED.

31 (c) (1) This subsection applies to:

32 (i) capital projects [that are funded solely with] FOR WHICH MORE  
33 THAN 25% OF THE FUNDING FOR THE ACQUISITION, CONSTRUCTION, OR  
34 RENOVATION OF THE PROJECT IS FROM State funds; and