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HB 806 – Support with Amendments

Building Standards and Emissions Reductions – High Performance, State, and Local Government Buildings, State Operations, and Eligible Projects Appropriations Committee

Dear Chair McIntosh, Bill Sponsors Stein and Barve, and Members of the Committee,

The International Code Council supports the passage of HB 806, 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 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

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1 Section 3–602.3; and 4–901 through 4–905 to be under the new subtitle “Subtitle 9.
 2 Buy Clean Maryland Act”
 3 Annotated Code of Maryland
 4 (2021 Replacement Volume)

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

7 **Article – State Finance and Procurement**

8 3–602.1.

9 (a) (1) In this section the following words have the meanings indicated.

10 (2) “High performance building” means a building that:

11 (i) 1. A. [meets or exceeds the current] **ACHIEVES AT**
 12 **LEAST A SILVER RATING ACCORDING TO THE MOST RECENT** version of the U.S. Green
 13 Building Council’s LEED (Leadership in Energy and Environmental Design) Green
 14 Building Rating System [Silver rating]; **OR**

15 **B. IS A SCHOOL OR PUBLIC SAFETY BUILDING THAT**
 16 **ACHIEVES AT LEAST A CERTIFIED RATING ACCORDING TO THE MOST RECENT**
 17 **VERSION OF THE U.S. GREEN BUILDING COUNCIL’S LEED GREEN BUILDING**
 18 **RATING SYSTEM AND, BASED ON THE BUILDING’S LOCATION, ACHIEVES 5 POINTS**
 19 **OR FEWER IN THE COMBINED CREDITS FOR ACCESS TO QUALITY TRANSIT AND**
 20 **SURROUNDING DENSITY AND DIVERSE USES;**

21 [(ii)] 2. Achieves at least a comparable numeric rating according
 22 to a nationally recognized, accepted, and appropriate numeric sustainable development
 23 rating system, guideline, or standard approved by the Secretaries of Budget and
 24 Management and General Services; or

25 [(iii)] 3. Complies with **the most recent edition of the International**
Green Construction Code or other nationally recognized ~~and accepted~~
 green
 26 building code, guideline, or standard reviewed and recommended by the Maryland Green
 27 Building Council and approved by the Secretaries of Budget and Management and General
 28 Services; **AND**

29 (ii) 1. **MEETS OR EXCEEDS THE CURRENT REQUIREMENTS**
 30 **FOR CERTIFICATION UNDER THE U.S. GREEN BUILDING COUNCIL’S LEED**
 31 **(LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN) ZERO ENERGY**
 32 **PROGRAM; OR**

33 2. **ACHIEVES A NET-ZERO ENERGY BALANCE IN**
 34 **ACCORDANCE WITH STANDARDS OR GUIDELINES RECOMMENDED BY THE**