

January 19th, 2022

The Honorable Kumar P. Barve  
Environment & Transportation Committee  
House Office Building, Room 251,  
6 Bladen St., Annapolis, MD, 21401

**RE: HB 61 Charter Counties - Enforcement of Local Building Performance Laws (Building Energy Performance Standards Act of 2022)- Support with Amendment**

Dear Chair Barve,

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **HB 61 Charter Counties - Enforcement of Local Building Performance Laws (Building Energy Performance Standards Act of 2022)**. **MBIA supports this bill with Amendments.**

This is a very broad, statewide bill. For new construction there is already the inability to obtain a Use and Occupancy Permit should you not be following building codes. That is the incentive to ensure that all codes are met. The addition of more fines will have great effect on housing affordability. We support exempting new construction out of this legislation.

This bill would empower county governments to impose fines and penalties on buildings that conform imperfectly to Building. There are already existing enforcement mechanisms for energy performance standards and there is already a high rate of compliance with those standards. In addition, these standards are often changing, and engineers and builders have to modulate their design criteria accordingly. It is unfair to levy additional penalties, when penalties both already exist and the changing design standards make perfect compliance difficult even for builders acting in good faith.

For these reasons, MBIA respectfully requests the Committee give this measure a favorable report with Amendments. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or [lgraf@marylandbuilders.org](mailto:lgraf@marylandbuilders.org).

cc: Members of the House Environment & Transportation Committee