



## Senate Bill 264

**Committee: Education, Energy, and the Environment**

**Bill: Senate Bill 264 Drinking Water - Regulation - Control and Prevention of Waterborne Disease**

**Date: February 10<sup>th</sup>, 2025**

**Position: Favorable w/ Amendments**

---

The Maryland Multi-Housing Association (MMHA) is a professional trade association established in 1996, whose members consist of owners and managers of more than 214,000 rental housing homes in over 1015 apartment communities. Our members house over 571,000 residents of the State of Maryland. MMHA also represents over 270 associate member companies who supply goods and services to the multi-housing industry.

Senate Bill 264 (“SB 264”) establishes minimum detectable disinfectant residual level requirements, disinfectant residual testing requirements, and related requirements for the control of Legionella bacteria and other pathogens in the public water supply. Additionally, SB 264 requires suppliers of water to provide certain notices and records regarding disruptions in the water distribution system. Relevant for MMHA, there are requirements for “covered buildings” to make and maintain water management programs to minimize the growth and transmission of legionella bacteria consistent with ASHRAE Standard 188-2018.

MMHA commends the sponsors of this legislation for their intent in protecting those who utilize public water systems from the dangers posed by Legionella bacteria and appreciates the discussions in the interim session on the matter. For apartment community owners and managers, there are certainly benefits to this bill, such as new requirements that hold water suppliers to a higher standard and mandates that they inform apartment owners and managers of potentially compromising water disruptions within 24 hours.

The concerns from MMHA members stem from a lack of clarity on what is and is not considered to be a “covered building” as defined within the ASHRAE Standard 188-2018. Because the criteria is not spelled out in the plain language of the bill, the interpretations by subject matter experts at MMHA have had mixed and contradictory opinions as to who may or may not be required to conduct water management program monitoring as defined by ASHRAE Standard 188-2018.

Without clear delineation on what is considered a “covered building”, MMHA cannot reasonably anticipate who may or may not be required to monitor as specified under 9-434 of the bill. The last thing MMHA wants is for unsuspecting apartment communities to get caught up and run afoul under the legislation. Additionally, should the “covered building” definition be considered in a broad context, MMHA would have concerns for spread out apartment communities with limited staff to effectively conduct this monitoring without paying for third-party services or providers to assist them, the cost of which will all go back on the properties, and by extension, back on the tenants.

**Therefore, to alleviate these concerns as outlined, MMHA must respectfully request an amendment to SB 264 that strikes §9-434 from the legislation in its entirety.** MMHA looks forward to continuing the dialogue with the proponents of the legislation and engaging with them on this important issue.

Please contact Matthew Pipkin, Jr. at (443) 995-4342 or [mpipkin@mmhaonline.org](mailto:mpipkin@mmhaonline.org) with any questions.