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**ROBERT G. CASSILLY**  
Harford County Executive



**ROBERT S. McCORD**  
Director of Administration

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March 27, 2026

The Honorable Brian Feldman  
Chair, Senate Education, Energy, and the Environment Committee  
2 West Miller Senate Office Building  
Annapolis, Maryland 21401

Re: Opposition to House Bill 870 – Maryland Building Performance Standards – Energy Conservation Requirements (Large Buildings for Tomorrow Act)

Dear Chairman Feldman and Committee Members,

On behalf of the citizens of Harford County, I respectfully submit this letter in opposition to House Bill 870.

While Harford County supports responsible energy conservation measures and recognizes the importance of reducing building energy consumption, HB 870 creates significant structural, regulatory, and enforcement concerns for local jurisdictions tasked with implementing Maryland's Building Performance Standards (MBPS).

First, the bill introduces what is fundamentally a post-occupancy compliance concept into the building code adoption and enforcement process. The building code is intended to regulate life safety and pre-occupancy construction standards. If the Maryland Department of the Environment (MDE) has experienced challenges ensuring compliance with its existing regulations, the local permitting process should not be used as a mechanism to “backstop” or weaponize enforcement of post-occupancy operational standards. Building departments are not structured to monitor ongoing operational energy performance after occupancy.

Second, there is a significant risk of regulatory misalignment. MDE's adopted regulations are unlikely to align precisely with the timeline for Maryland Building Performance Standards updates. If MDE adopts regulations mid-cycle relative to building code adoption, jurisdictions could face conflicting requirements. This creates uncertainty for design professionals, contractors, and permitting authorities and undermines the predictability necessary for effective code enforcement.

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Third, the bill does not ensure that future MDE regulations will remain consistent with the MBPS mandate to adopt and not weaken the International Energy Conservation Code (IECC), which is developed through a rigorous national consensus process by the International Code Council. Conflicts between IECC provisions and separate MDE regulatory requirements are foreseeable. Such conflicts would place local jurisdictions in an untenable position, forced to interpret and reconcile potentially contradictory standards without clear statutory guidance.

Fourth, the bill provides no realistic assessment of the administrative burden it will impose on local jurisdictions. There is currently no way to predict the additional time, staff expertise, and review effort that would be required to evaluate compliance under overlapping regulatory frameworks. Most building designs submitted for permitting would likely require substantial revisions, resulting in extended review times, increased costs to applicants, and delayed permit issuance. These delays do not advance life safety objectives or core pre-occupancy energy efficiency standards; they add administrative complexity without clear benefit at the local enforcement level.

Local departments operate with limited staffing and are focused primarily on life safety, structural integrity, fire protection, and basic energy code compliance. HB 870 expands responsibilities in a manner that is disconnected from the traditional scope of building code enforcement and risks creating confusion, inefficiency, and unnecessary delay.

Harford County supports sound energy policy, but implementation must be clear, coordinated, and administratively feasible. HB 870, as drafted, creates overlapping regulatory structures, timeline conflicts, and enforcement challenges that will burden local jurisdictions without providing clear operational guidance.

For these reasons, I respectfully urge an unfavorable report on House Bill 870.

Thank you.

Yours truly,



Robert G. Cassilly