



House Bill 870

*Environment - Permit Applications for New Buildings - Notice
(Large Buildings for Tomorrow Act)*

MACo Position: **SUPPORT**
WITH AMENDMENTS

To: Education, Energy, and the Environment
Committee

Date: March 31, 2026

From: Sarah Sample

The Maryland Association of Counties (MACo) **SUPPORTS HB 870 WITH AMENDMENTS**. As amended, this bill makes multiple changes to the Building Energy Performance Standards (BEPS). Among them, it requires county agencies to notify the Maryland Department of the Environment within 10 days from when they have accepted a permit application for a new building that meets the standards of a “covered building” under the Climate Solutions Now Act of 2022.

Counties appreciate the State’s commitment to reducing greenhouse emissions and air pollution as well as promoting responsible energy use tracking and consumption. These are shared priorities of many jurisdictions across Maryland. However, other provisions of the Climate Solutions Now Act require significant renovations and upgrades of many county owned buildings in adherence to the BEPS standards that are mandated components of the Climate Solutions Now Act. While the General Assembly is looking to update components of the original legislation through HB 870, counties believe it would be prudent to take further steps to recognize that BEPS standards, as outlined in current statute, could be overly burdensome, costly, and, in some instances, impossible for county governments without significant renovations or system replacements.

County governments are in a situation that is different from private and commercial businesses and building owners because they are managing the thoughtful use of taxpayer dollars and the practical constraints of existing facilities. The current provisions of BEPS do not adequately recognize this or that all buildings are not the same. Counties would seek additional amendments to HB 870 that would exempt from BEPS standards local government buildings that constitute critical infrastructure, due to the stark difference in their structure, demands, and necessity.

The needs of 9-1-1 centers, police, fire, and EMS stations, as well as numerous public safety buildings, including detention centers, are energy-intensive by necessity. They have five primary considerations that are unlike other administration buildings in that they are:

- Always on;
- Redundancy-heavy;

- Equipment-dense;
- Code-constrained; and
- Budget-limited.

This is non-negotiable infrastructure that ensures the safety and security of residents, particularly during an emergency. They operate 24-7 with heightened safety and program demands and with power and system redundancies unlike any other administrative buildings. A carve-out for these county-owned and operated buildings, not unlike other exemptions in current law, could round out a practical and wise approach initiated by HB 870 and prior legislation. **Without these changes, adherence to the BEPS standards could represent an undue burden on taxpayer funds, while potentially compromising the emergency service delivery those same residents rely on.**

With this practical exemption, counties will be able to plan for the costs associated with the existing mandate in a way that appreciates the unique position local governments are in as operators of critical infrastructure. For those reasons MACo urges a **FAVORABLE WITH AMENDMENTS** report for HB 870.