

SB 264 - Drinking Water - Regulation - Control and Prevention of Waterborne Disease

Education, Energy, and the Environment Committee

February 10, 2026

Position: Informational Only

*MHLA is the sole statewide organization dedicated to advocacy on behalf of Maryland's lodging industry. Our industry is a powerful economic engine - **765 hotels** support more than **115,000 jobs** statewide, generate **\$7.2 billion in wages and salaries**, contribute **\$2.4 billion in state and local tax revenue**, and drive **\$10.6 billion in guest spending** that strengthens communities across Maryland.*

MHLA supports the life-safety measures and public health goals of SB 264 and submits this **information-only testimony to highlight implementation considerations and seek clarity on compliance expectations**. As drafted, the bill leaves significant uncertainty for covered buildings - especially hotels - regarding scope, timelines, and cost. This makes it difficult to plan and prepare for compliance until requirements and expectations are clearly defined. Although only one section of the bill directly applies to buildings, SB 264 raises expectations around Legionella prevention and effectively elevates ASHRAE Standard 188 from a voluntary best practice to a **statutory compliance mandate** for covered hotels.

Is the October 1, 2027, compliance deadline achievable?

The proposed deadline appears ambitious given:

- Typical 12–18-month capital planning and budgeting cycles, and
- The absence of guidance on what “implementation” entails, such as whether it means only program development or also full operational monitoring, documentation, staff training, and corrective actions.

Without finalized guidance, regulated entities cannot reasonably begin capital planning, procurement, or workforce training. For these reasons, MHLA respectfully requests that any compliance timeline begin only after clear, Maryland-specific guidance is issued.

What does compliance require in practice?

Additional clarity is needed regarding:

- Required program elements, including potential equipment modifications,
- Documentation, monitoring, and recordkeeping expectations, and
- Whether compliance will be phased in.

What costs and enforcement mechanisms should hotels plan for?

Hotels need clarity on:

- Expected cost drivers (including whether testing or third-party validation will be required),

- How cure periods will apply, and
- Which agency will enforce compliance.

The language on page 13, lines 10-12, gives enforcement and inspection authority to “ANY OTHER STATE OR LOCAL DEPARTMENT WITH LICENSE OR INSPECTION AUTHORITY”. This broad language creates the potential for inconsistent interpretation, duplicative inspections, and uncertainty for regulated entities, and should be narrowed to identify the specific agency responsible for enforcement.

How will updates to ASHRAE standards affect compliance?

We understand the bill may be amended to reference **ASHRAE Standard 188-2021** rather than 188-2018. While we support alignment with updated safety standards, clarification is needed on:

- Substantive differences between the editions,
- How enhanced expectations related to verification, validation, and documentation may affect costs and obligations, and
- Whether clear, Maryland-specific guidance will be issued to ensure consistent enforcement.

What lessons can be learned from prior statewide standards?

Other statewide technical standards, such as Maryland’s Building Energy Performance Standards (BEPS) under the Climate Solutions Now Act, required substantial regulatory development and stakeholder engagement before compliance expectations were fully understood. That experience underscores the importance of clear, Maryland-specific guidance before compliance deadlines are imposed.

- Are any hotel-specific case studies or implementation models available that could inform compliance planning?

Thank you for the opportunity to provide information-only testimony. We look forward to continuing to work with the General Assembly and relevant agencies as well as other stakeholders to support effective implementation of SB 264 should this legislation advance.

For more information, please contact:

Amy Rohrer, President & CEO
Maryland Hotel Lodging Association
amy@MDLodging.org