



Bill: **SB264- Drinking Water - Regulation - Control and Prevention of Waterborne Disease**

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

Date: **February 10, 2026**

Position: **Favorable with Amendments**

The Apartment and Office Building Association (AOBA) of Metropolitan Washington is a non-profit trade association representing the owners and managers of more than 23 million square feet of commercial office space and 133,000 apartment rental units in Montgomery and Prince George's counties. AOBA submits the following testimony in support of Senate Bill 264 with amendments.

SB264 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. The bill requires suppliers of water to provide certain notices and records regarding disruptions in the water distribution system. AOBA members are concerned about the requirements for "covered buildings" to establish and implement water management programs to minimize the growth and transmission of Legionella bacteria consistent with ASHRAE Standard 188-2018.

While AOBA members support efforts to reduce and contain legionella outbreaks, AOBA urges the committee to remove the water management plan requirement from the bill. Using the ASHRAE 188 Standard to define covered buildings is overly broad and may lead to both compliance and enforcement challenges. These challenges would be most acutely felt by older multifamily buildings, which tend to be naturally occurring affordable housing. Furthermore, using these standards would likely require housing providers to hire costly code consultants to establish and implement the water management programs. This would undoubtedly raise operating costs for multifamily buildings at a time when housing costs continue to rise.

For these reasons, AOBA requests a favorable report with the amendments below. Please contact Hugo Cantu at hcantu@aoba-metro.org with any questions or concerns.

~~(A) IN THIS SECTION, "COVERED BUILDING" MEANS A BUILDING THAT MEETS THE CRITERIA SET FORTH IN THE AMERICAN SOCIETY OF HEATING, REFRIGERATION, AND AIR CONDITIONING ENGINEERS (ASHRAE) STANDARD 188-2018.~~

~~(B) ON OR BEFORE OCTOBER 1, 2027, THE OWNER OR OPERATOR OF A COVERED BUILDING SHALL IMPLEMENT A WATER MANAGEMENT PROGRAM TO MINIMIZE THE GROWTH AND TRANSMISSION OF LEGIONELLA BACTERIA IN THE BUILDING'S WATER SYSTEM, CONSISTENT WITH ASHRAE STANDARD 188-2018.~~

~~(C) THE OWNER OR OPERATOR OF A COVERED BUILDING SHALL MAKE THE WATER MANAGEMENT PROGRAM AVAILABLE UPON REQUEST TO AN EMPLOYEE OF THE DEPARTMENT, THE MARYLAND DEPARTMENT OF HEALTH, OR ANY OTHER STATE OR LOCAL DEPARTMENT WITH LICENSE OR INSPECTION AUTHORITY FOR THE COVERED BUILDING.~~