

**HB870\_MD Labor\_Support .docx.pdf**

Uploaded by: Andrew Fulginiti

Position: FAV

**MARYLAND DEPARTMENT OF LABOR TESTIMONY ON HB 870**

TO: Senate Education, Energy, and the Environment Committee  
FROM: Maryland Department of Labor  
DATE: 3/27/2026  
BILL: HB 870 Environment - Permit Applications for New Buildings - Notice  
(Large Buildings for Tomorrow Act)

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**MD LABOR POSITION: FAVORABLE**

The Maryland Department of Labor (MD Labor) respectfully submits this testimony in support of House Bill 870.

MD Labor worked collaboratively with the Maryland Department of the Environment (MDE), local code enforcement officials, and the bill sponsor on amendments that were adopted in the House.

As amended, HB 870 would set up a framework for MDE to intervene or educate, preventing the construction of BEPS-covered buildings without the necessary compliance knowledge. The changes would require local jurisdictions to forward permitting information directly to MDE upon application for a building permit. The amendments make the bill a more efficient approach, reducing burdens on implementing parties while delivering significant impact. This approach would carry no fiscal impact on either department, is more streamlined for local jurisdictions to implement, and paves the way for future efforts toward BEPS goals/requirements.

The Department appreciates the coordination with the bill sponsor and MDE.

**The Department respectfully asks the Committee to consider a favorable report on HB 870 with the adopted amendments.**

For questions, please contact Andrew Fulginiti at [Andrew.Fulginiti@maryland.gov](mailto:Andrew.Fulginiti@maryland.gov)

**HB0870\_Large\_Buildings\_for\_Tomorrow\_Act\_FAV.pdf**

Uploaded by: Cecilia Plante

Position: FAV



## TESTIMONY FOR HB0870

### Maryland Building Performance Standards - Energy Conservation Requirements (Large Buildings for Tomorrow Act)

**Bill Sponsor:** Delegate Korman

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

**Organization Submitting:** Maryland Legislative Coalition

**Person Submitting:** Cecilia Plante, co-chair

**Position:** FAVORABLE

I am submitting this testimony in favor of HB0870 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists, and our Coalition supports well over 30,000 members.

Maryland has worked hard to reduce greenhouse gases and take care of our environment. One of the hardest things to do in terms of reducing greenhouse gases is to retrofit existing buildings. Existing buildings produce almost one third of all greenhouse gases in the state.

The real issue is that this isn't a static problem that we can throw resources at. We continue to build new buildings all the time. Why, then, would we make the problem worse by building new buildings that we then have to add to the pile of buildings to retrofit?

This bill, if enacted, would require all new large buildings to be built to comply with the same Building Energy Performance Standards (BEPS) that they would have to comply with in the future. If a local jurisdiction has BEPS that are more stringent than the state-wide standards, the building would have to be built to the local standards.

This makes sense from every perspective. Building with the standards in mind is NOT more expensive than building without them. However, retrofitting the building is VERY expensive.

We strongly support this bill and recommend a **FAVORABLE** report in committee.

**ECA testimony HB0870s Large Buildings.pdf**

Uploaded by: Frances Stewart

Position: FAV



HB0870 - SUPPORT  
Frances Stewart, MD  
Elders Climate Action Maryland  
[frances.stewart6@gmail.com](mailto:frances.stewart6@gmail.com)  
301-718-0446

HB0870 – Maryland building Energy Performance Standards – Energy  
Conservation Requirements (Large Buildings for Tomorrow Act)

Meeting of the Energy, Education and the Environment Committee

March 31, 2026

Dear Chair Feldman, Vice Chair Kagan, and Members of the Committee, on behalf of Elders Climate Action Maryland, I urge a favorable report on HB0870, the Large Buildings for Tomorrow Act.

Elders Climate Action is a nationwide organization devoted to ensuring that our children, grandchildren, and future generations have a world in which they can thrive. The Maryland Chapter has members across the state.

Each day, we see the climate crisis more clearly. We know that Maryland is at risk for sea level rise, flooding from intense rainfall, heat waves, and other extreme weather events. Maryland can also be a leader in moving us to a safer, cleaner future where we all can thrive. Building better buildings is essential for that future.

Buildings are one of the largest sources of greenhouse gas emissions in Maryland. They are also a major source of air pollution, which has many adverse health effects, including asthma, other respiratory illnesses, and heart disease.

In 2022, the Maryland General Assembly passed the Climate Solutions Now Act, which made Maryland a national leader in addressing the climate crisis. One key

feature of the act was the creation of the Building Energy Performance Standards (BEPS). The Maryland Department of the Environment has developed regulations to implement those standards, which apply to existing buildings that are 35,000 square feet or larger.

Currently, all of Maryland except Montgomery County (which has its own BEPS program) is in a benchmarking period that ends in 2030. Owners of buildings covered by BEPS need to submit benchmarking data, but they do not have to meet the interim standards until 2030. The interim standards will become more rigorous in 2035, and the final standards will take effect in 2040.

The developer of a new large building might choose to build it in a way that would prevent the owner from meeting BEPS standards when required. That's a bad choice for the environment and for the property owner, who would be faced with expensive upgrades to an almost-new building.

HB0870 directs the Department of Labor to adopt by regulation the International Building Code, including the International Energy Conservation Code, for new construction of buildings 35,000 square feet or over beginning October 1, 2028. Adoption of these codes in Maryland ensures that future buildings avoid costly upgrades by complying with energy-efficiency standards when they are constructed. These buildings will consume less energy, be less polluting, and be cheaper to heat and cool.

For all of these reasons, we strongly urge a favorable report on HB0870, the Large Buildings for Tomorrow Act. Thank you for your time and consideration.

**MDE HB 870 SUP - EEE.pdf**

Uploaded by: Jeremy D Baker

Position: FAV



The Maryland Department of the Environment  
Secretary Serena McIlwain

*House Bill 870*  
*Environment - Permit Applications for New Buildings - Notice (Large Buildings for Tomorrow Act)*

**Position:** Support  
**Committee:** Education, Energy, and the Environment  
**Date:** March 31, 2026  
**From:** Jeremy D. Baker, Director of Government Relations

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The Maryland Department of the Environment (MDE) **SUPPORTS** HB 870.

### **Bill Summary**

HB 870 would require a county or municipality, within 10 business days of accepting a permit application for a new building of 35,000+ square feet (excluding parking), to notify MDE of the application. This rule only applies to new construction projects filed on or after the bill's effective date.

Under HB 870, local jurisdictions must provide to MDE (1) the address of the proposed building, (2) the building permit application number, (3) the total square footage of the the proposed building, (4) the proposed building type, (5) the energy sources planned for use in the proposed building, and (6) the contact information for the owner of the proposed building.

### **Position Rationale**

Zero-emission new construction is the most cost-effective way to meet Maryland's 2040 net zero emissions deadline for large buildings, making early compliance imperative to avoid future retrofit costs.

HB 870 establishes a necessary notification process, ensuring the Department is aware of newly constructed buildings 35,000 square feet or larger. This mechanism enables MDE to proactively contact building owners regarding compliance with the Building Energy Performance Standards (BEPS). MDE supports legislation that promotes transparency and open communication to ensure building owners are proactively informed of all applicable compliance requirements.

Accordingly, MDE respectfully requests that the Committee issue a **FAVORABLE** report for HB 870.

# **HB0870-Large Buildings for Tomorrow Act\_EEE\_CJW FA**

Uploaded by: Laurie McGilvray

Position: FAV



**Testimony for: HB0870 Maryland Building Performance Standards - Energy Conservation Requirements (Large Buildings for Tomorrow Act)**

**Bill Sponsor: Chair Korman**

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

**Organization Submitting: Maryland Legislative Coalition Climate Justice Wing**

**Person Submitting: Monica O'Connor – Co-Chair**

**Hearing Date: March 31, 2026**

**Position: FAVORABLE**

Dear Chair Feldman and Committee Members:

Thank you for allowing our testimony today in support of HB0870. The Maryland Legislative Coalition (MLC) Climate Justice Wing, a statewide coalition of 32 grassroots and professional organizations focused on climate justice, urges you to vote favorably on HB0870.

Large buildings in Maryland use enormous amounts of energy to heat and cool, are huge emitters of greenhouse gases, and are increasingly more expensive to operate. In 2022, Maryland passed the [Climate Solutions Now Act](#) (CSNA) requiring existing buildings over 35,000 square feet to comply with Building Energy Performance Standards (BEPS). The goal of Maryland BEPS is to document and analyze building energy usage through benchmarking, reach zero net direct GHG emissions by 2040, and improve energy efficiency for Maryland's buildings. These upgrades reduce energy usage and cut heating and cooling costs. However, making improvements to existing buildings are expensive and time consuming. It is less costly to incorporate building energy performance into new buildings at the beginning rather than to retrofit buildings later.

HB0870 addresses this issue by directing the Department of Labor to adopt by regulation, the International Building Code, including the International Energy Conservation Code, for new construction of buildings 35,000 sq feet or over beginning October 1, 2028. Adoption of these codes into Maryland BEPS ensures that future buildings avoid expensive upgrades because they will comply with energy efficiency standards when constructed. These buildings will consume less energy, be less polluting, and be cheaper to heat and cool.

Maryland must use every tool in its toolbox to address the dual crisis of high energy demand and skyrocketing energy costs. Large Buildings of Tomorrow is a common-sense hedge against wasteful energy use in the building sector. For these reasons we ask for a favorable vote on HB0870 in committee.

350MoCo

Cedar Lane Unitarian Universalist Church Environmental Justice Ministry

Chesapeake Earth Holders  
Chesapeake Physicians for Social Responsibility  
Climate Law and Policy Project  
Climate Communications Coalition  
Climate Parents of Prince George's  
Climate Reality Greater Maryland  
ClimateXChange  
Coming Clean Network, Union of Concerned Scientists  
DoTheMostGood Montgomery County  
Echotopia  
Elders Climate Action Maryland  
Fix Maryland Rail  
Glen Echo Heights Mobilization  
Greenbelt Climate Action Network  
HoCoClimateAction  
Howard County Indivisible  
Maryland Legislative Coalition  
Maryland Energy Advocates  
Maryland Third Act  
Mizrahi Family Charitable Fund  
Mobilize Frederick  
Montgomery County Faith Alliance for Climate Solutions  
Montgomery Countryside Alliance  
Mountain Maryland Movement  
Nuclear Information & Resource Service  
Progressive Maryland  
Safe & Healthy Playing Fields  
Sierra Club Maryland Chapter  
Takoma Park Mobilization Environment Committee  
The Climate Mobilization MoCo Chapter  
Unitarian Universalist Legislative Ministry of Maryland



# **HB 870 Del Korman FAV, EEE.pdf**

Uploaded by: Marc Korman

Position: FAV

MARC KORMAN  
Legislative District 16  
Montgomery County

Chair  
Environment and Transportation  
Committee

Rules and Executive  
Nominations Committee



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THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

HB 870: Large Buildings for Tomorrow Act

Testimony of Delegate Marc Korman – Favorable

Thank you, Chair Feldman, Vice Chair Kagan, and members of the Education, Energy, and the Environment Committee. I come before you today to present HB 870, the Large Buildings for Tomorrow Act.

HB 870 in its current form will require a county or municipality to provide notice of a permit application to the Maryland Department of the Environment, beginning July 1, 2026, within 10 business days after it accepts a permit application for a new building. I have worked with the Maryland Department of the Environment and the Maryland Department of Labor to bring before you the bill in its current state today.

In 2022, Governor Hogan allowed BEPS to become law without his signature. Under that law, certain buildings over 35,000 square feet must be net-zero direct greenhouse gas emissions by 2040. I understand that not everyone likes that requirement, but it is current law and new buildings should be prepared to comply with it. Unfortunately, the market does not seem to be responding to our legal requirements, and buildings that will have to comply with BEPS in the not too distant future are not being built to comply today. That means they will require costly renovations in just a short period of time. It is more cost effective to build the buildings to comply today than to have to retrofit them in just a few years.

This notification requirement will ensure that the Maryland Department of the Environment and building owners have the information needed to avoid costly and avoidable retrofitting in the future. The bill specifically applies to new buildings that have a proposed gross floor area of 35,000 square feet or more, not counting the parking garage area. The notice of the permit application must include the address of the proposed building, the building permit application number, the total square footage, the building type, the energy sources planned for use, and the owner's contact information.

Thank you for your consideration. I urge a favorable report.

# **HB 870 - Environment - Permit Applications for New**

Uploaded by: Megan Outten

Position: FAV



# Maryland Energy Administration

**TO:** Chair Feldman, Vice Chair Kagan, and Members of the Education, Energy, and the Environment Committee

**FROM:** MEA

**SUBJECT:** HB 870 - Environment - Permit Applications for New Buildings - Notice (Large Buildings for Tomorrow Act)

**DATE:** March 31, 2026

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## **MEA Position: FAVORABLE**

The Maryland Energy Administration respectfully submits this letter of support for House Bill 870 (HB870).

HB 870 builds upon the state's efforts to reduce greenhouse gas emissions from the buildings sector, adopting conservation regulations for new buildings that are subject to the Building Energy Performance Standards (BEPS). This will apply to large commercial and multifamily buildings. Over time, these buildings will be required to reduce their direct greenhouse gas emissions and meet site energy use intensity (EUI) performance targets.

Maryland's building sector is the second-largest source of greenhouse gas emissions, driven primarily by on-site combustion of fossil fuels for heating, hot water, and other building operations. Addressing emissions from large buildings is therefore not optional, it is essential to meeting the State's climate commitments. Energy efficiency and building modernization remain among the most cost-effective methods to reduce emissions, lower operating expenses, enhance resilience, and support grid reliability. BEPS provides the structured, data-driven framework necessary to advance these outcomes at scale.

MEA urges the committee to issue a **favorable report**.

Our sincere thanks for your consideration of this testimony. For questions or additional information, please contact Megan Outten, Policy manager, at [megan.outten@maryland.gov](mailto:megan.outten@maryland.gov) or 443.842.1780.

# **HB0870 - crossover bill - FAV - Large Buildings fo**

Uploaded by: Richard KAP Kaplowitz

Position: FAV

**HB0870 Crossover Bill RichardKaplowitz FAV**

03/31/2026

Richard Keith Kaplowitz

Frederick, MD 21703

**TESTIMONY ON CROSSOVER BILL HB#0870- POSITION: FAVORABLE**

**Maryland Building Performance Standards - Energy Conservation Requirements (Large Buildings for Tomorrow Act)**

**TO:** Chair Feldman, Vice Chair Kagan and members of the Education, Energy, and the Environment Committee

**FROM:** Richard Keith Kaplowitz

**My name is Richard Keith Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of crossover bill HB#0870, Maryland Building Performance Standards - Energy Conservation Requirements (Large Buildings for Tomorrow Act)**

This bill establishes for Maryland enforcement of standards of building construction in ways that protect our environment. Under this bill the new construction of a covered building that is subject to performance standards established by the Department of the Environment ... on or before October 1, 2028, as part of the standards, the department shall adopt regulations establishing energy conservation requirements for covered buildings.

... in developing the regulations, the department shall:

adopt provisions that require:

- predicted annual net direct greenhouse gas emissions of zero
- predicted annual site energy use intensity performance targets, as determined by the Department of the Environment

This bill will require the Maryland Department of Labor to adopt, by October 1, 2028, and as part of the Maryland Building Performance Standards, energy conservation requirements for the new construction of buildings that are subject to the Building Energy Performance Standards adopted by the Maryland Department of the Environment.

**I respectfully urge this committee to return a favorable report on crossover bill HB#0870.**

**HB0870-EEE\_MACo\_SWA.pdf**

Uploaded by: Sarah Sample

Position: FWA



## 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.

**HB870\_UNFAV\_HCGCassilly.pdf**

Uploaded by: Robert Cassilly

Position: UNF

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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.

The Honorable Brian Feldman  
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March 27, 2026  
Page 2

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

# **HB 870 - Environment - Permit Notification - NAIOP**

Uploaded by: Tom Ballentine

Position: INFO



March 27, 2026

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

**INFO: HB 870 – Environment – Permit Notification**

Dear Chair, Feldman, and Committee Members:

The NAIOP Maryland Chapters represent approximately 700 companies involved in all aspects of commercial, industrial, and mixed-use real estate. On behalf of our member companies, I am writing to offer informational testimony on HB 870.

The House amendments to HB 870 strike the original bill and insert new language requiring that local governments notify the Department of Environment when a building permit application is received for a new building 35,000 square feet or larger. This provides notice of new buildings that could be subject to the Building Energy Performance Standards.

Based on the House amendments, NAIOP withdrew opposition to HB 870 as introduced and has no position on the bill as it passed the House of Delegates.

Please feel free to contact me with questions or for more information.

Sincerely,

A handwritten signature in blue ink, appearing to read "T.M. Ballentine".

Tom Ballentine, Vice President for Policy  
NAIOP – Maryland Chapters, *The Association for Commercial Real Estate*

cc: Education, Energy, and the Environment Committee Members  
Nick Manis – Manis, Canning Assoc.