

## **Moratorium on Construction of New Data Centers – Co–Location and Generation Contingency / HB 120**

2026 Maryland Legislative Session

Official Testimony - Science Policy and Diplomacy Group (SPDG) at Johns Hopkins\*

Position: FAVORABLE WITH AMENDMENT

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To the Environment and Transportation Committee,

SPDG at JHU **SUPPORTS HB 120 WITH AMENDMENTS**. HB 120 would place a moratorium on the approval of data centers unless they are able to provide their own power through co-location with a gas or nuclear energy production plant.

The rapid advancement of artificial intelligence (AI) has the potential to greatly improve the lives of everyday Marylanders. This advancement, however, cannot come at the expense of Maryland residents. Data centers as they are being proposed across the state could do serious damage to our communities, our environment, and public health.

Data centers that are used to power AI are increasing in size. A hyperscale data center using up to 1 gigawatt of energy consumes the same amount of energy as 1.8 million individuals<sup>1</sup>. A growing number of hyperscale data centers of over 250 megawatts (equivalent to ¼ gigawatts) are being proposed across the U.S. and that growth is projected to continue<sup>2</sup>. This growing demand for energy could greatly impact the ability of our energy grid operators to maintain stability and service<sup>3</sup>. With energy costs already rising rapidly for Marylanders, failing to reign in the AI industry could further erode the quality of life of taxpayers in the state. According to a UBMC poll published in December, 65% of Maryland residents believe the cost of household energy bills should be a “high priority” for the Maryland state government<sup>4</sup>.

HB 120 attempts to address the energy production problems with a contingency that would lift the moratorium on data center construction in the case that the Maryland General Assembly requires co-location of data centers with new or existing natural gas, nuclear power, or small module reactor generation facilities. However, there is insufficient data to suggest the co-location would be sufficient for the needs of a data center operating at peak capacity, especially as the size of hyperscale data centers continues to grow, increasing total energy demand<sup>2</sup>. Co-location also fails to recognize the fresh water resources that will have to be diverted to data centers to be used for cooling. Even today, large data centers can consume up to 5 million gallons of water per day, equivalent to the usage of a town of up to 50,000 people<sup>5</sup>. A moratorium exception for co-location misses the mark, and it must be removed while the General Assembly considers the many regulations that will be needed if we are going to ensure data centers are a benefit to Maryland taxpayers, not a detriment.

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On top of the aforementioned problems, building a hyperscale data center that is co-located with a fossil-fuel or other non-renewable energy facility has impacts that extend far beyond utilities like electricity and water. Analysts estimate that the additional fossil-fuel demand driven by these data centers will result in more than \$1.5 trillion of climate damages<sup>6</sup>. This is largely due to the significant amount of harmful pollution they release, which poses a serious threat to public health. In the communities near the data centers currently operating in Northern Virginia, researchers project roughly 14,000 additional cases of asthma symptoms and 13-19 premature deaths due to increased air pollutant emissions, adding \$54 million in annual public health burden across six Maryland counties<sup>7</sup>. These data suggest that continuing to build these data centers, even with co-located power sources, will negatively impact both Maryland residents and the environment they depend on. Further, since data centers are often built in rural and low-income areas, these impacts are likely to disproportionately affect some of Maryland's most vulnerable populations.

Marylanders are aware of the dangers that these hyperscale data centers pose and have voiced their opposition. According to a UMBC poll published in November, 51% of Marylanders are "very" concerned about the environmental impact of AI data centers<sup>8</sup>. In Prince George's County, a proposal to construct a hyperscale data center at the site of the Landover Mall was met with community outrage, contributing to local leadership placing a moratorium on building any data centers within the county<sup>9</sup>. In both Frederick County and Baltimore County, similar construction proposals have faced strong backlash from residents who hope to stop these projects<sup>10,11</sup>. These examples demonstrate widespread support from Maryland constituents for state-wide legislation that completely pauses the creation of more data centers in their state.

Maryland should embrace technological innovation, including AI, but it must do so in a way that adequately protects its residents. HB 120 recognizes some of the risks associated with hyperscale data centers, but the co-location exception neglects to consider many risk factors that could harm Marylanders across the state. A simple, statewide moratorium on all data center construction is the best way to ensure that the General Assembly can have the time it needs to consider all the risks posed by data centers and build a comprehensive set of regulations in line with supporting Maryland taxpayers.

**The Science Policy and Diplomacy Group @ Johns Hopkins urges a FAVORABLE report WITH AMENDMENTS on HB120.**

Sincerely,

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## References

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