



Bill: HB 870- Maryland Building Performance Standards – Energy Conservation Requirements (Large Buildings for Tomorrow Act)

Position: Oppose

Dear Chair, Vice Chair, and Members of the Committee:

On behalf of the Maryland Coalition for Inclusive Energy Solutions (MCIES), I respectfully submit this letter of opposition to *House Bill 870, Maryland Building Performance Standards – Energy Conservation Requirements (Large Buildings for Tomorrow Act)*.

Technological and Implementation Challenges

The bill mandates adoption of energy conservation standards aimed at predicted zero annual net direct greenhouse gas emissions and performance targets determined by the Department of Environment. In practice, building technologies capable of reliably achieving these targets are not yet standardized or cost-effective for broad application, particularly on the aggressive timelines specified (regs adopted by October 1, 2028). The bill’s waiver provision for measures that “cannot be reasonably implemented” is insufficiently clear and may create legal ambiguity and permitting delays.

Economic and Market Stability Risks

Imposing performance requirements that exceed existing codes without phased cost recovery mechanisms could drive up construction costs, potentially stalling development. The combination of more stringent standards and a lack of predictable incentives or financing pathways risks reducing investment in the very energy solutions HB 870 intends to promote.

Moreover, Maryland’s current energy policies continue to impede MCIES members’ ability to draw tenants from across the nation and region, particularly from commercial, industrial, and manufacturing spaces. Implementing this policy would further weaken Maryland’s competitiveness compared to neighboring states.

Need for Coordinated Statewide Strategy and Incentives

Comprehensive building decarbonization requires complementary incentives, training programs, and consistent resources. Absent a clear, coordinated statewide incentive framework, developers may face regulatory costs without corresponding financial supports, undermining broader goals.

We recommend:

- Delay implementation timelines and require a phased approach tied to demonstrable technological readiness.

- Add explicit funding and technical assistance provisions for small developers and projects in underserved communities.
- Clarify waiver criteria and ensure transparent, stakeholder-driven development of performance models.
- Align proposed standards with credible, cost-effective pathways that minimize market disruption.

For these reasons, MCIES respectfully urges an unfavorable report on HB 870.

Sincerely,

Sarah Peters
Executive Director