



Committee: Education, Health, and Environmental Affairs
Testimony on: SB0081 - Charter Counties-Enforcement of Local Building Performance Laws (Building Energy Performance Standards Act of 2022)
Organization: Climate Justice Wing of the Maryland Legislative Coalition
Submitting: Laurie McGilvray, Co-Chair
Position: Favorable
Hearing Date: February 2, 2022

Dear Mr. Chairman and Committee Members:

Thank you for allowing our testimony today in support of SB0081. The Maryland Legislative Coalition (MLC) Climate Justice Wing, a statewide coalition of over 50 grassroots and professional organizations, urges you to vote favorably on SB0081.

Within Maryland, charter counties are moving towards enacting building energy performance standards for their communities. In fact, the Biden Administration recently announced a coalition of states, local governments, labor organizations, and industries that are teaming up to support building performance standards for cleaner, healthier, and more affordable buildings. Three Maryland jurisdictions – Prince Georges County, Montgomery County, and the City of Annapolis - have joined the coalition. Unfortunately, counties currently are hampered in their ability to effectively enforce such regulations, because the penalty cap in existing Maryland law is too low to compel building owners who refuse to comply. SB0081 will fix this problem by allowing counties the flexibility to set higher penalties.

Buildings emit 40% of Maryland’s greenhouse gases (13% of which are direct emissions) and account for 90% of Maryland’s electricity use. Ultimately, reducing this source of climate pollution and transitioning buildings to be carbon neutral is critical to Maryland reaching its statutory climate goals. Building Energy Performance Standards are a foundational tool that provides a flexible pathway for building owners to reduce energy use and carbon emissions from existing buildings. By setting energy use targets (or alternatively, greenhouse gas reduction targets) building owners have a pathway to more cost-effective, energy efficient buildings, including to healthier all-electric cooling and heating and hot water systems. However, these targets and standards must be enforceable.

Currently in Maryland, charter county penalties are limited to a civil penalty of no more than \$1,000 or a criminal penalty of \$1,000 and six months imprisonment. SB0081 will allow a penalty of up to a \$10 per square foot for owners who fail to comply with local building energy

performance standard regulations. The bill also provides that counties must consider the assessed value of the property in penalties set for any offense, so there is flexibility in the penalty amounts set by counties.

As a resident of Montgomery County, I and other climate-conscious county residents are very supportive of this bill because it will give the county government stronger enforcement tools in conjunction with legislation currently under consideration by the Montgomery County Council.

We need to support counties that are working hard to reduce climate pollution from buildings by giving them effective enforcement tools, without which local regulations will be unsuccessful. The legislation also provides protections for building owners by requiring counties to consider the assessed value of the property.

We are in a climate crisis and must align our policies to help local governments be part of the solution. Therefore, we support this bill and recommend a **FAVORABLE** report in committee.

MLC Climate Justice Wing:

Assateague Coastal Trust
Maryland Legislative Coalition
MD Campaign for Environmental Human Rights
Chesapeake Climate Action Network
WISE
Frack Free Frostburg
Mountain Maryland Movement
Clean Water Action
Howard County Indivisible
Howard County Sierra Club
Columbia Association Climate Change and Sustainability Advisory Committee
HoCo Climate Action
CHEER
Climate XChange - Maryland
Mid-Atlantic Field Representative/
National Parks Conservation Association
350 Montgomery County
Glen Echo Heights Mobilization
The Climate Mobilization Montgomery County
Montgomery County Faith Alliance for Climate Solutions
Montgomery Countryside Alliance

Takoma Park Mobilization Environment Committee
Audubon Naturalist Society
Cedar Lane Unitarian Universalist Church
Environmental Justice Ministry
Coalition For Smarter Growth
DoTheMostGood Montgomery County
MCPS Clean Energy Campaign
MoCo DCC
Potomac Conservancy
Casa de Maryland
Nuclear Information & Resource Service
Clean Air Prince Georges
Laurel Resist
Greenbelt Climate Action Network
Maryland League of Conservation Voters
Unitarian Universalist Legislative Ministry of Maryland
Concerned Citizens Against Industrial CAFOs
Wicomico NAACP
Chesapeake Physicians for Social Responsibility
Chispa MD
Climate Law & Policy Project
Maryland Poor People's Campaign

Labor Network for Sustainability
The Nature Conservancy
Clean Air Prince Georges
350 Baltimore
Maryland Environmental Health Network
Climate Stewards of Greater Annapolis
Talbot Rising
Adat Shalom Climate Action
Mid-Atlantic Earth Holders
Climate Parents of Prince Georges
Echotopia
Maryland NAACP State Conference,
Environmental Justice Committee