

UNOFFICIAL COPY OF SENATE BILL 528

SENATE BILL 528

M3, M5

2lr0531

By: **Senators Pinsky, Ferguson, Kelley, Guzzone, Smith, Kagan, Waldstreicher, Lam, Washington, Patterson, Hester, Ellis, Zucker, Kramer, Hettleman, Young, Sydnor, Hayes, Watson, Beidle, Carter, Augustine, Elfreth, Feldman, Jackson, King, and Lee**

Introduced and read first time: January 28, 2022

Assigned to: Education, Health, and Environmental Affairs and Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Climate Solutions Now Act of 2022**

3 FOR the purpose of requiring the State to reduce statewide greenhouse gas emissions
4 through the use of various measures, including the alteration of statewide
5 greenhouse gas emissions goals, the establishment of a net-zero statewide
6 greenhouse gas emissions goal, the development of certain energy efficiency and
7 ~~electrification~~ emissions reduction requirements for certain buildings, requiring electric
8 companies to
9 increase their annual incremental gross energy savings through certain programs
10 and services, the establishment of certain zero-emission vehicle requirements for
11 the State vehicle fleet and local school buses, and the establishment of certain
12 personal property tax exemptions; requiring the Governor to include a certain amount in the annual
13 budget bill in certain fiscal years for the Maryland Healthy Soils Program; establishing the Climate
14 Catalytic Capital Fund;
15 requiring interest earnings of the Climate Catalytic Capital Fund to be credited to
16 the Climate Catalytic Capital Fund; altering the duties of the Commission on
17 Environmental Justice and Sustainable Communities; requiring landfill operators
18 and the Department of the Environment to take certain actions regarding methane
19 emissions; requiring the Department of the Environment to regulate methane
20 emissions from landfills; requiring the Department of the Environment to establish
21 Building ~~Emissions~~ Energy Performance Standards for certain buildings; requiring the Commission
22 on
23 Climate Change to establish the Just Transition Employment and Retraining
24 Working Group to advise the Commission on Climate Change on certain matters and
25 conduct a certain study; requiring the Community Development Administration to develop and implement a
26 program to provide grants for energy conservation projects and projects to install renewable energy
27 systems in certain buildings; establishing the Maryland Climate Justice Corps Program;
28 requiring the Maryland Department of Labor to ~~update the Maryland Building~~
~~Performance Standards~~ adopt a certain construction code on or before a certain date and within a
certain period of time for each subsequent version of the code; altering the duties of the Maryland
Green Building Council;
establishing the Climate Transition and Clean Energy Hub in the Maryland Energy
Administration; establishing the Net-Zero School Grant Fund; requiring interest
earnings of the Net-Zero School Grant Fund to be credited to the Net-Zero School
Grant Fund; establishing the Building Energy Transition Implementation Task
Force to study certain matters and develop a plan for funding the retrofit of certain

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1 buildings; requiring the Public Service Commission and the Building Codes Administration to study and
make recommendations on the electrification of buildings in the State; and generally relating to
 2 climate change and measures to combat climate
 change.

3 BY renumbering

4 Article - Environment
 5 Section 2-1204.2
 6 to be Section 2-1204.3
 7 Annotated Code of Maryland
 8 (2013 Replacement Volume and 2021 Supplement)

9 BY renumbering

10 Article - Economic Development
 11 Section 10-854 and the part "Part V. Short Title"
 12 to be Section 10-858 and the part "Part VI. Short Title"
 13 Annotated Code of Maryland
 14 (2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,

Article - Agriculture
Section 2-1901(b)
Annotated Code of Maryland
(2016 Replacement Volume and 2021 Supplement)

BY adding to

Article - Agriculture
Section 2-1901(e)
Annotated Code of Maryland
(2016 Replacement Volume and 2021 Supplement)

15 BY repealing and reenacting, without amendments,

16 Article - Economic Development
 17 Section 10-801(a), (d), and (f)
 18 Annotated Code of Maryland
 19 (2018 Replacement Volume and 2021 Supplement)
 20 (As enacted by Chapters 13 and 24 of the Acts of the General Assembly of the 2021
 21 Special Session)

22 BY adding to

23 Article - Economic Development
 24 Section 10-854 and 10-855 to be under the new part "Part V. Climate Catalytic
 25 Capital Fund"
 26 Annotated Code of Maryland
 27 (2018 Replacement Volume and 2021 Supplement)

28 BY repealing and reenacting, with amendments,

29 Article - Education
 30 Section 5-312
 31 Annotated Code of Maryland
 32 (2018 Replacement Volume and 2021 Supplement)

33 BY repealing and reenacting, with amendments,

34 Article - Environment
 35 Section ~~1-701(f)~~ 1-701(a), (f), and (h), 2-1201(4), 2-1204.1, 2-1205, 2-1206, 2-1210,
 36 2-1303(a), 2-1304, and 2-1305
 37 Annotated Code of Maryland
 38 (2013 Replacement Volume and 2021 Supplement)

39 BY adding to

40 Article - Environment

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1 Section 1-702, ~~1-901 through 1-911 to be under the new subtitle "Subtitle 9. Maryland Climate~~
~~Justice Corps"; 2-407, 2-408, 2-407 through 2-409; 2-1204.2, 2-1303.1, and 2-1505; and~~
 2 2-1601 through
 3 2-1603 to be under the new subtitle "Subtitle 16. Building ~~Emissions~~ Energy Performance
 4 Standards"
 5 Annotated Code of Maryland
 (2013 Replacement Volume and 2021 Supplement)

6 BY repealing and reenacting, without amendments,
 7 Article - Environment
 8 Section ~~1-701(a)~~ and 2-1501
 9 Annotated Code of Maryland
 10 (2013 Replacement Volume and 2021 Supplement)

11 ~~BY adding to~~
 12 ~~Article - Natural Resources~~
 13 ~~Section 8-1927 through 8-1938 to be under the new part "Part III. Maryland Climate~~
 14 ~~Justice Corps"~~
 15 ~~Annotated Code of Maryland~~
 16 ~~(2012 Replacement Volume and 2021 Supplement)~~

BY adding to
Article - Housing and Community Development
Section 4-211(d)
Annotated Code of Maryland
(2019 Replacement Volume and 2021 Supplement)

17 BY repealing and reenacting, without amendments,
 18 Article - Public Safety
 19 Section 12-501 and 12-505(a)(1)
 20 Annotated Code of Maryland
 21 (2018 Replacement Volume and 2021 Supplement)

22 BY repealing and reenacting, with amendments,
 23 Article - Public Safety
 24 Section 12-503
 25 Annotated Code of Maryland
 26 (2018 Replacement Volume and 2021 Supplement)

27 BY repealing and reenacting, with amendments,
 28 Article - Public Utilities
 29 Section 7-211(g)
 30 Annotated Code of Maryland
 31 (2020 Replacement Volume and 2021 Supplement)

32 BY repealing and reenacting, with amendments,
 33 Article - State Finance and Procurement
 34 Section 3-602.1, 4-809(f), and 6-226(a)(2)(ii)144. and 145.
 35 Annotated Code of Maryland
 36 (2021 Replacement Volume)

37 BY adding to
 38 Article - State Finance and Procurement
 39 Section ~~3-602.4~~, 4-810, 6-226(a)(2)(ii)146. and 147., and 14-418
 40 Annotated Code of Maryland

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1 (2021 Replacement Volume)

2 BY repealing and reenacting, without amendments,
3 Article - State Finance and Procurement
4 Section 6-226(a)(2)(i)
5 Annotated Code of Maryland
6 (2021 Replacement Volume)

7 BY adding to
8 Article - State Government
9 Section 9-2010 and 9-2011
10 Annotated Code of Maryland
11 (2021 Replacement Volume)

12 BY repealing and reenacting, with amendments,
13 Article - Tax - Property
14 Section 7-237
15 Annotated Code of Maryland
16 (2019 Replacement Volume and 2021 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
18 That Section(s) 2-1204.2 of Article - Environment of the Annotated Code of Maryland be
19 renumbered to be Section(s) 2-1204.3.

20 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 10-854 and the
21 part "Part V. Short Title" of Article - Economic Development of the Annotated Code of
22 Maryland be renumbered to be Section(s) 10-858 and the part "Part VI. Short Title".

23 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
24 as follows:

Article - Agriculture

2-1901.

(b) There is a Maryland Healthy Soils Program.

**(E) IN EACH OF FISCAL YEARS 2024 THROUGH 2028, THE GOVERNOR SHALL
INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$500,000 FOR THE
PROGRAM.**

25 **Article - Environment**

26 2-1204.1.

27 The State shall reduce statewide greenhouse gas emissions by [40%] **60%** from 2006
28 levels by 2030.

29 **2-1204.2.**

30 **THE STATE SHALL ACHIEVE NET-ZERO STATEWIDE GREENHOUSE GAS**
31 **EMISSIONS BY 2045.**

32 SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
33 as follows:

34 **Article - Economic Development**

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1 10-801.

2 (a) In this subtitle the following words have the meanings indicated.

3 (d) "Board" means the Board of Directors of the Center.

4 (f) "Center" means the Maryland Clean Energy Center.

5 **PART V. CLIMATE CATALYTIC CAPITAL FUND.**6 **10-854.**7 **(A) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS**
8 **INDICATED.**9 **(B) "FUND" MEANS THE CLIMATE CATALYTIC CAPITAL FUND.**10 **(C) "QUALIFIED PROJECT" MEANS A PROJECT RELATED TO THE PURPOSES**
11 **SPECIFIED IN § 10-855(B) OF THIS SUBTITLE.**12 **10-855.**13 **(A) THERE IS A CLIMATE CATALYTIC CAPITAL FUND.**14 **(B) THE PURPOSE OF THE FUND IS TO PROMOTE ENVIRONMENTAL JUSTICE**
15 **AND TO LEVERAGE INCREASED PRIVATE CAPITAL INVESTMENT IN TECHNOLOGY**
16 **DEVELOPMENT AND DEPLOYMENT, INCLUDING PROJECT PLANNING, TO:**17 **(1) REDUCE GREENHOUSE GAS EMISSIONS AND ENABLE THE**
18 **ADOPTION OF MEASURES TO COMBAT CLIMATE CHANGE;**19 **(2) FACILITATE THE ELECTRIFICATION OF THE TRANSPORTATION**
20 **SECTOR;**21 **(3) ENABLE IMPROVEMENTS IN ENERGY MANAGEMENT AND**
22 **EFFICIENCY TO REDUCE GREENHOUSE GAS EMISSIONS FROM THE BUILDING**
23 **SECTOR;**24 **(4) EXPAND THE DEPLOYMENT OF CLEAN ENERGY GENERATION AND**
25 **ENERGY STORAGE CAPACITY;**26 **(5) TARGET THE IMPLEMENTATION OF ENERGY AND**
27 **WEATHERIZATION MEASURES FOR LOW- TO MODERATE-INCOME HOUSEHOLDS;**

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1 **(6) OPTIMIZE THE ECONOMIC, HEALTH, SOCIAL, AND**
2 **ENVIRONMENTAL VALUE OF COMMUNITY-SCALE INFRASTRUCTURE FOR**
3 **RESILIENCE AND ENERGY EQUITY;**

4 **(7) ALLOW FOR THE DEPLOYMENT OF CUTTING-EDGE, ADVANCED**
5 **CLEAN ENERGY TECHNOLOGY; AND**

6 **(8) PROVIDE FOR THE CREATION OF A MARYLAND GREEN BOND**
7 **PROGRAM.**

8 **(c) (1) THE CENTER SHALL ADMINISTER THE FUND.**

9 **(2) THE CENTER SHALL ESTABLISH A FUND OVERSIGHT**
10 **COMMITTEE, APPOINTED BY THE BOARD, TO MANAGE THE FUND.**

11 **(d) THE FUND CONSISTS OF:**

12 **(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**

13 **(2) MONEY MADE AVAILABLE TO THE FUND THROUGH PRIVATE**
14 **CONTRIBUTIONS AND FEDERAL GRANTS OR PROGRAMS;**

15 **(3) PROCEEDS FROM THE SALE, DISPOSITION, LEASE, OR RENTAL OF**
16 **COLLATERAL RELATED TO FINANCING MADE FROM THE FUND;**

17 **(4) REPAYMENT OF FINANCING MADE FROM THE FUND;**

18 **(5) RETURNS FROM OR RECOVERY OF ANY FINANCING MADE FROM**
19 **THE FUND;**

20 **(6) PROCEEDS FROM THE SALE OF ANY FINANCING MADE, OR ASSETS**
21 **ACQUIRED WITH PROCEEDS, FROM THE FUND;**

22 **(7) INTEREST EARNINGS ON MONEY IN THE FUND; AND**

23 **(8) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR**
24 **THE BENEFIT OF THE FUND.**

25 **(e) (1) THE FUND MAY BE USED ONLY TO:**

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7
1 (I) EVALUATE AND COORDINATE FINANCING FOR QUALIFIED
2 PROJECTS AND CLEAN ENERGY TECHNOLOGIES RELATED TO THE PURPOSES
3 SPECIFIED UNDER SUBSECTION (B) OF THIS SECTION;

4 (II) PROVIDE FINANCING FOR QUALIFIED PROJECTS;

5 (III) FACILITATE EFFICIENT TAX EQUITY MARKETS FOR
6 QUALIFIED PROJECTS;

7 (IV) SECURE PRIVATE INVESTMENT CAPITAL FOR FINANCING OF
8 QUALIFIED PROJECTS;

9 (V) MAKE GRANTS TO OTHER GREEN BANKS IN THE STATE FOR
10 THE PURPOSE OF FINANCING QUALIFIED PROJECTS; AND

11 (VI) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,
12 ADMINISTER THE FUND AND ACTIVITIES OF THE CENTER IN CARRYING OUT THIS
13 PART.

14 (2) NOT MORE THAN 5% OF THE FUND BALANCE MAY BE USED FOR
15 ADMINISTRATIVE PURPOSES.

(3) THE FUND MAY NOT BE USED FOR A PROJECT TO INSTALL NEW
EQUIPMENT THAT USES FOSSIL FUELS OR IMPROVE THE EFFICIENCY OF EXISTING EQUIPMENT
THAT USES FOSSIL FUELS.

16 (F) (1) EXPENDITURES FROM THE FUND MAY BE MADE ONLY WITH THE
17 APPROVAL OF THE FUND OVERSIGHT COMMITTEE.

(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF
THIS PARAGRAPH, IN EACH FISCAL YEAR AT LEAST 40% OF THE FUND BALANCE SHALL BE
USED FOR QUALIFIED PROJECTS IN LOW- TO MODERATE-INCOME COMMUNITIES.

(II) IN ANY FISCAL YEAR THAT THERE ARE NOT SUFFICIENT
APPLICATIONS FOR QUALIFIED PROJECTS IN LOW- TO MODERATE-INCOME COMMUNITIES, THE
FUND OVERSIGHT COMMITTEE MAY AUTHORIZE FUNDING THAT WOULD OTHERWISE BE
RESERVED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH TO BE USED FOR OTHER QUALIFIED
PROJECTS.

18 (G) (1) THE FUND SHALL BE SUBJECT TO INDEPENDENT AUDIT.

19 (2) ON OR BEFORE OCTOBER 1 EACH YEAR, THE CENTER SHALL
20 REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE
21 GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE USE OF THE FUND AND
22 OUTCOMES OF INVESTMENTS MADE FROM THE FUND.

23 (H) FOR FISCAL YEARS 2024, 2025, AND 2026, THE GOVERNOR SHALL
24 INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$5,000,000 TO THE
25 FUND.

26 10-856. RESERVED.

27 10-857. RESERVED.

28 Article - Education

29 5-312.

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1 (a) In this section, "high performance building" has the meaning stated in §
2 3-602.1 of the State Finance and Procurement Article.

3 (b) This section applies to the construction of new schools that have not initiated
4 a Request For Proposal for the selection of an architectural and engineering consultant on
5 or before July 1, 2009.

6 (c) **(1) ~~Except~~ ~~SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AND~~**
7 **~~EXCEPT~~** as provided in subsection (d) of this section, a new school that receives State public
8 school construction funds shall be constructed to be a high performance building.

9 **(2) ~~(i) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS~~**
10 **~~PARAGRAPH, THE NET-ZERO ENERGY REQUIREMENTS THAT APPLY FOR A BUILDING~~**
11 **~~TO MEET THE DEFINITION OF A "HIGH PERFORMANCE BUILDING" UNDER § 3-602.1~~**
12 **~~OF THE STATE FINANCE AND PROCUREMENT ARTICLE DO NOT APPLY TO PUBLIC~~**
13 **~~SCHOOL BUILDINGS.~~**

14 **~~(ii)~~ SUBJECT TO THE AVAILABILITY OF FUNDING FROM THE**
15 **NET-ZERO SCHOOL GRANT FUND ESTABLISHED UNDER § 9-2010 OF THE STATE**
16 **GOVERNMENT ARTICLE, AT LEAST ONE OF THE SCHOOLS CONSTRUCTED IN EACH**
17 **LOCAL SCHOOL SYSTEM FROM JULY 1, 2023, THROUGH JUNE 30, 2033, INCLUSIVE,**
18 **SHALL BE CONSTRUCTED TO MEET NET-ZERO ENERGY REQUIREMENTS IN ACCORDANCE WITH §3-602.4 OF THE STATE**
FINANCE AND PROCUREMENT ARTICLE.

19 (d) (1) The Interagency Commission shall establish a process to allow a school
20 system to obtain a waiver from complying with subsection (c) of this section.

21 (2) The waiver process shall:

22 (i) Include a review by the Interagency Commission to determine if
23 the construction of a high performance building is not practicable; and

24 (ii) Require the approval of a waiver by the Interagency Commission.

25 **(3) THE INTERAGENCY COMMISSION SHALL WAIVE THE**
26 **REQUIREMENTS OF SUBSECTION (C)(2)(II) OF THIS SUBSECTION IF THE**
27 **INTERAGENCY COMMISSION DETERMINES THAT:**

28 **(I) THE CONSTRUCTION OF A NET-ZERO ENERGY SCHOOL**
29 **BUILDING IS NOT PRACTICABLE BECAUSE OF SPATIAL LIMITATIONS AT THE**
30 **BUILDING SITE; OR**

31 **(II) WHEN TAKING INTO CONSIDERATION THE AVAILABILITY OF**
32 **STATE COST SHARE FUNDS AND GRANTS FROM THE NET-ZERO SCHOOL GRANT**
33 **FUND ESTABLISHED UNDER § 9-2010 OF THE STATE GOVERNMENT ARTICLE, THE**
34 **COST TO THE LOCAL JURISDICTION OF CONSTRUCTING A NET-ZERO ENERGY**

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1 **SCHOOL BUILDING WOULD EXCEED THE COST OF CONSTRUCTING A TRADITIONAL,**
 2 **HIGH PERFORMANCE SCHOOL BUILDING.**

3 (e) For fiscal years 2010 through 2014 only, the State shall pay 50% of the local
 4 share of the extra costs, identified and approved by the Interagency Commission, that are
 5 incurred in constructing a new school to meet the high performance building requirements
 6 of this section.

7 (f) **(1)** The Interagency Commission shall adopt regulations to implement the
 8 requirements of this section.

9 **(2) IN IMPLEMENTING NET-ZERO ENERGY REQUIREMENTS FOR**
 10 **SCHOOL BUILDINGS, THE INTERAGENCY COMMISSION SHALL CONSULT WITH THE**
 11 **CLIMATE TRANSITION AND CLEAN ENERGY HUB ESTABLISHED UNDER § 9-2011 OF**
 12 **THE STATE GOVERNMENT ARTICLE.**

13 **Article - Environment**

14 1-701.

15 (a) (1) In this section the following words have the meanings indicated.

16 (2) "Business organization" means a corporation, business trust,
 17 partnership, or any other for-profit entity.

18 (3) "Commission" means the Commission on Environmental Justice and
 19 Sustainable Communities.

20 (4) "Community listening session" means a public convening to gather
 21 information and input from community members.

22 (5) "Environmental justice" means equal protection from environmental
 23 and public health hazards for all people regardless of race, income, culture, and social
 24 status.

25 (6) "Environmental organization" means a nonprofit entity engaged in
 26 advocacy ~~or~~ action, **EDUCATION, OR JOB TRAINING** related to conservation, stewardship of
 natural resources, ~~or~~ pollution
 27 reduction, **OR CLIMATE CHANGE.**

28 (f) **(1)** The Department shall provide staff for the Commission.

29 **(2) THE STAFFING RESPONSIBILITIES OF THE DEPARTMENT SHALL**
 30 **INCLUDE ~~CONDUCTING~~ :**

31 **(I) CONDUCTING RESEARCH AND GATHERING DATA AT THE DIRECTION OF**
THE COMMISSION ;

(II) ARRANGING AND STAFFING COMMISSION MEETINGS;

(III) SERVING AS AN INFORMED RESOURCE FOR THE CHAIR AND
MEMBERS; AND

(IV) MANAGING, IMPLEMENTING, AND CARRYING OUT THE
COMMISSION'S WORK TO ACHIEVE ITS MISSION AND OVERALL PURPOSE.

32 (h) The Commission shall:

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1 (1) Advise State government agencies on environmental justice and related
2 community issues;

3 (2) Use data sets and mapping tools to review and analyze the impact of
4 current State and local laws, permits, actions, and policies on the issue of environmental
5 justice and sustainable communities, including cumulative impacts, effects, and exposure;

6 (3) Assess the adequacy of State and local government laws to address the
7 issue of environmental justice and sustainable communities, including assessing
8 compliance with Title VI of the federal Civil Rights Act of 1964;

9 (4) Coordinate with the Children's Environmental Health and Protection
10 Advisory Council, the Maryland Office of Minority Health and Health Disparities, and the
11 Commission on Climate Change on recommendations related to environmental justice and
12 sustainable communities; [and]

13 (5) **IN ACCORDANCE WITH § 1-702 OF THIS SUBTITLE, COORDINATE**
14 **WITH THE DEPARTMENT ON:**

15 **(I) THE ADOPTION OF A METHODOLOGY FOR IDENTIFYING**
16 **COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE;**

17 **(II) THE DEVELOPMENT OF SPECIFIC STRATEGIES TO ADDRESS**
18 **ENVIRONMENTAL JUSTICE CONCERNS, REDUCE EMISSIONS OF GREENHOUSE GASES**
19 **AND CO-POLLUTANTS, AND BUILD CLIMATE EQUITY AND RESILIENCE WITHIN**
20 **DISPROPORTIONATELY AFFECTED COMMUNITIES; AND**

21 **(III) THE ESTABLISHMENT OF GOALS FOR THE PERCENTAGE OF**
22 **STATE FUNDING FOR GREENHOUSE GAS EMISSION REDUCTION MEASURES THAT**
23 **SHOULD BE USED FOR THE BENEFIT OF DISPROPORTIONATELY AFFECTED**
24 **COMMUNITIES; AND**

25 **(6)** Recommend options to the Governor and the General Assembly for
26 addressing issues, concerns, or problems related to environmental justice that surface after
27 reviewing State laws and policies, including prioritizing areas of the State that need
28 immediate attention.

29 **1-702.**

30 **(A) ON OR BEFORE DECEMBER 31, 2023, THE DEPARTMENT, IN**
31 **CONSULTATION WITH THE COMMISSION ON ENVIRONMENTAL JUSTICE AND**
32 **SUSTAINABLE COMMUNITIES, SHALL:**

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1 (1) SUBJECT TO SUBSECTION (B) OF THIS SECTION, ADOPT A
2 METHODOLOGY FOR IDENTIFYING COMMUNITIES DISPROPORTIONATELY AFFECTED
3 BY CLIMATE CHANGE;

4 (2) DEVELOP SPECIFIC STRATEGIES TO ADDRESS ENVIRONMENTAL
5 JUSTICE CONCERNS, REDUCE EMISSIONS OF GREENHOUSE GASES AND
6 CO-POLLUTANTS, AND BUILD CLIMATE EQUITY AND RESILIENCE WITHIN
7 COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE;

8 (3) SET APPROPRIATE GOALS FOR THE PERCENTAGE OF STATE
9 FUNDING FOR GREENHOUSE GAS EMISSION REDUCTION MEASURES THAT SHOULD
10 BE USED FOR THE BENEFIT OF DISPROPORTIONATELY AFFECTED COMMUNITIES;
11 AND

12 (4) REPORT TO THE MARYLAND COMMISSION ON CLIMATE CHANGE
13 AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE
14 GENERAL ASSEMBLY ON THE POLICIES AND PROGRAMS DEVELOPED UNDER THIS SUBSECTION.

15 (B) IN EVALUATING METHODOLOGIES UNDER SUBSECTION (A)(1) OF THIS
16 SECTION, THE DEPARTMENT SHALL USE MARYLAND EJS SCREEN OR OTHER APPROPRIATE MAPPING TOOLS TO
17 CONSIDER GEOGRAPHIC, DEMOGRAPHIC, PUBLIC HEALTH,
ENVIRONMENTAL HAZARD, AND SOCIOECONOMIC CRITERIA, INCLUDING:

18 (1) AREAS BURDENED BY CUMULATIVE ENVIRONMENTAL POLLUTION
19 AND OTHER HAZARDS THAT CAN LEAD TO NEGATIVE PUBLIC HEALTH EFFECTS;

20 (2) AREAS WITH HIGH CONCENTRATIONS OF:

21 (I) ~~PEOPLE~~ PERSONS EXPERIENCING POVERTY, HIGH UNEMPLOYMENT
22 RATES, HIGH RENT BURDENS, LOW LEVELS OF HOME OWNERSHIP, OR LOW LEVELS
23 OF EDUCATIONAL ATTAINMENT; OR

24 (II) POPULATIONS ~~THAT HAVE HISTORICALLY EXPERIENCED~~
25 ~~DISCRIMINATION ON THE BASIS OF RACE OR ETHNICITY~~ OR SUBGROUPS THAT HAVE EXPERIENCED
SIGNIFICANTLY HIGHER AND MORE ADVERSE HEALTH AND ENVIRONMENTAL EFFECTS BASED ON RACE, GENDER,
26 ETHNICITY,
COLOR, CULTURE, NATIONAL ORIGIN, OR INCOME; AND

26 (3) AREAS THAT ARE VULNERABLE TO THE IMPACTS OF CLIMATE
27 CHANGE, SUCH AS FLOODING, STORM SURGES, AND URBAN HEAT ISLAND EFFECTS,
28 DUE TO LOW LEVELS OF TREE COVERAGE, HIGH LEVELS OF IMPERVIOUS SURFACES,
29 OR OTHER FACTORS.

30 (C) IN CARRYING OUT ITS RESPONSIBILITIES UNDER THIS SECTION, THE
31 DEPARTMENT SHALL ~~SOLICIT~~ :

(1) SOLICIT INPUT FROM ALL SEGMENTS OF THE POPULATION
32 THAT WILL BE IMPACTED BY THE POLICIES DEVELOPED UNDER SUBSECTION (A) OF
33 THIS SECTION, INCLUDING INDIVIDUALS LIVING IN AREAS THAT MAY BE IDENTIFIED

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1 AS DISPROPORTIONATELY AFFECTED COMMUNITIES UNDER THE PROPOSED
2 CRITERIA ;

(2) ENSURE THAT EQUITY AND ENVIRONMENTAL JUSTICE ARE KEY PRINCIPLES; AND

(3) INCORPORATE ENVIRONMENTAL AND CLIMATE JUSTICE CONSIDERATIONS INTO ALL RECOMMENDATIONS, POLICIES, PROGRAMS, AND FUNDING PRIORITIES.

SUBTITLE 9. MARYLAND CLIMATE JUSTICE CORPS.

1-901.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "CLEAN ENERGY PROJECT" MEANS A PROJECT TO IMPROVE ACCESS TO CLEAN, RENEWABLE ENERGY SOURCES IN A COMMUNITY DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE.

(C) "CLIMATE MITIGATION PROJECT" MEANS A PROJECT TO REDUCE EMISSIONS OF GREENHOUSE GASES AND CO-POLLUTANTS AND MITIGATE THE HEALTH IMPACTS OF CLIMATE CHANGE IN A COMMUNITY DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE.

(D) "COMMUNITY DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE" MEANS A COMMUNITY IDENTIFIED USING THE METHODOLOGY RECOMMENDED BY THE COMMISSION ON ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES UNDER § 1-702 OF THIS TITLE.

(E) "CORPS BOARD" MEANS THE ADVISORY BOARD OF THE CORPS PROGRAM.

(F) "CORPS PROGRAM" MEANS THE MARYLAND CLIMATE JUSTICE CORPS PROGRAM ESTABLISHED UNDER § 1-902 OF THIS SUBTITLE.

(G) "QUALIFIED ORGANIZATION" MEANS:

(1) A NONPROFIT ORGANIZATION OR NONBUSINESS ENTITY;

(2) AN EDUCATIONAL, ADVOCACY, OR JOB TRAINING ORGANIZATION;

(3) A COMMUNITY ASSOCIATION;

(4) A SERVICE, YOUTH, OR CIVIC GROUP;

(5) A PUBLIC OR PRIVATE EDUCATIONAL INSTITUTION;

(6) A COUNTY OR MUNICIPALITY; OR

(7) A UNIT OF STATE OR LOCAL GOVERNMENT.

1-902.

(A) THERE IS A MARYLAND CLIMATE JUSTICE CORPS PROGRAM ADMINISTERED BY THE DEPARTMENT, IN CONSULTATION WITH THE CORPS BOARD.

(B) THE PURPOSE OF THE CORPS PROGRAM IS TO:

(1) PROMOTE CLIMATE JUSTICE AND ASSIST THE STATE IN ACHIEVING

ITS GREENHOUSE GAS EMISSIONS REDUCTION TARGETS:

(2) PROVIDE YOUTH AND YOUNG ADULTS WITH OPPORTUNITIES TO ENGAGE IN MEANINGFUL SERVICE TO THEIR COMMUNITIES AND THE STATE;

(3) MOBILIZE, EDUCATE, AND TRAIN YOUTH AND YOUNG ADULTS TO DEPLOY CLEAN ENERGY TECHNOLOGY AND MITIGATE AND PREVENT THE ENVIRONMENTAL AND HEALTH IMPACTS OF CLIMATE CHANGE IN COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE;

(4) ENSURE UNDERSERVED AND ENVIRONMENTAL JUSTICE POPULATIONS ARE GIVEN ASSISTANCE NEEDED TO PREPARE FOR AND ADAPT TO THE IMPACTS OF CLIMATE CHANGE; AND

(5) PROVIDE A GREEN CAREER LADDER AND OPPORTUNITIES FOR ALL YOUTH AND YOUNG ADULTS, ESPECIALLY THOSE MOST AT RISK, TO BE EXPOSED TO AND TRAINED IN THE ENERGY EFFICIENCY, ENVIRONMENTAL PROTECTION, GOVERNMENTAL AND REGULATORY ADMINISTRATION, AND RENEWABLE ENERGY GENERATION SECTORS.

1-903.

(A) (1) THE PURPOSE OF THE CORPS BOARD IS TO ADVISE THE DEPARTMENT IN THE DEVELOPMENT AND IMPLEMENTATION OF THE CORPS PROGRAM.

(2) THE CORPS BOARD CONSISTS OF THE FOLLOWING MEMBERS:

(I) TWO MEMBERS OF THE SENATE OF MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE;

(II) TWO MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;

(III) ONE PRESIDENT FROM AN HISTORICALLY BLACK COLLEGE OR UNIVERSITY IN THE STATE, OR THE PRESIDENT'S DESIGNEE, APPOINTED BY THE COMMISSION ON ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES;

(IV) TWO MEMBERS OF THE BOARD OF DIRECTORS OF THE MARYLAND CORPS BOARD APPOINTED BY THE BOARD CHAIR;

(V) THREE MEMBERS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, INCLUDING AT LEAST ONE INDIVIDUAL FROM THE NONPROFIT SECTOR WITH A BACKGROUND IN EDUCATION AND STUDENT SERVICE AND ONE WITH A BACKGROUND IN WORKFORCE DEVELOPMENT; AND

(VI) THREE MEMBERS OF THE COMMISSION ON ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES, APPOINTED BY THE CHAIR OF THE COMMISSION.

(3) IF A REGULATED LOBBYIST IS APPOINTED TO SERVE AS A MEMBER OF THE CORPS BOARD, THE LOBBYIST IS NOT SUBJECT TO:

(I) § 5-504(D) OF THE GENERAL PROVISIONS ARTICLE; OR

(II) § 5-704(F)(3) OF THE GENERAL PROVISIONS ARTICLE AS A RESULT OF THAT SERVICE.

(B) A MEMBER OF THE CORPS BOARD SHALL RESIDE IN THE STATE.

(C) IN MAKING APPOINTMENTS TO THE CORPS BOARD, THE GOVERNOR SHALL CONSIDER:

(1) RACIAL, ETHNIC, CULTURAL, AND GENDER DIVERSITY; AND

(2) ALL GEOGRAPHIC REGIONS OF THE STATE.

(D) A MEMBER OF THE CORPS BOARD:

(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE CORPS BOARD; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(E) (1) THE TERM OF A MEMBER IS 4 YEARS.

(2) THE TERMS OF THE MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS ON JULY 1, 2022.

(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(F) THE APPOINTING AUTHORITY MAY REMOVE A MEMBER FOR INCOMPETENCE, MISCONDUCT, OR FAILURE TO PERFORM THE DUTIES OF THE POSITION.

(G) (1) THE CORPS BOARD SHALL DETERMINE THE TIMES AND PLACES OF ITS MEETINGS.

(2) THE CORPS BOARD MAY ACT WITH AN AFFIRMATIVE VOTE OF SEVEN MEMBERS.

(3) THE CORPS BOARD SHALL MAKE PUBLICLY AVAILABLE ON ITS WEBSITE LIVE VIDEO STREAMING OF EACH PORTION OF A MEETING THAT IS HELD IN OPEN SESSION.

1-904.

(A) FROM AMONG ITS MEMBERS, THE CORPS BOARD SHALL ELECT A CHAIR AND A VICE CHAIR.

(B) THE DEPARTMENT SHALL PROVIDE STAFF SUPPORT FOR THE CORPS BOARD.

1-905.

(A) (1) THE DEPARTMENT, IN CONSULTATION WITH THE CORPS BOARD, SHALL MAKE GRANTS TO QUALIFIED ORGANIZATIONS TO SUPPORT A MARYLAND CLIMATE JUSTICE CORPS PROGRAM THAT INVOLVES YOUTH AND YOUNG ADULTS THROUGHOUT THE STATE TO CARRY OUT THIS SUBTITLE.

(2) THE CORPS PROGRAM SHALL ENGAGE AND DEVELOP CORPS MEMBERS IN CLIMATE JUSTICE PROJECTS AND CLEAN ENERGY PROJECTS IN COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE.

(3) ELIGIBLE CORPS PROGRAM EXPENSES INCLUDE PERSONNEL COSTS, STIPENDS, SUPPLIES, AND OTHER MATERIALS FOR PROJECTS UNDERTAKEN BY CORPS MEMBERS.

(B) THE DEPARTMENT, IN CONSULTATION WITH THE CORPS BOARD, SHALL DEVELOP GUIDELINES FOR EVALUATING APPLICATIONS FROM QUALIFIED ORGANIZATIONS.

(C) THE GUIDELINES DEVELOPED IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION SHALL:

(1) CONSIDER THE CAPABILITY OF THE QUALIFIED ORGANIZATION TO CARRY OUT CORPS PROGRAMS OR PROJECTS;

(2) ENCOURAGE AND CONSIDER MULTIYEAR, MULTIPARTNER PROPOSALS, LOCAL MATCH, COST-SHARING AGREEMENTS, AND IN-KIND MATCH AS FACTORS IN EVALUATING CORPS PROGRAM GRANT APPLICATIONS; AND

(3) REQUIRE GRANT APPLICATIONS TO DESCRIBE HOW THE QUALIFYING ORGANIZATION INTENDS TO:

(i) ASSESS THE SKILLS OF CORPS PROGRAM PARTICIPANTS;

(ii) PROVIDE LIFE SKILLS AND WORK SKILLS TRAINING;

(iii) PROVIDE TRAINING AND EDUCATION, IN ADDITION TO THE TRAINING PROVIDED AS A PART OF THE MAIN CORPS PROGRAM;

(iv) DEVELOP, WHERE RELEVANT, AGREEMENTS FOR ACADEMIC STUDY WITH:

1. LOCAL EDUCATION AGENCIES;

2. COMMUNITY COLLEGES;

3. 4-YEAR COLLEGES;

4. AREA CHARTER HIGH SCHOOLS AND VOCATIONAL-TECHNICAL SCHOOLS; AND

5. COMMUNITY-BASED ORGANIZATIONS; AND

(v) PROVIDE CAREER AND EDUCATIONAL GUIDANCE.

(D) A GRANT AGREEMENT REGARDING FUNDS FROM THE DEPARTMENT SHALL:

(1) SPECIFY THE ALLOWED USE OF THE FUNDS PROVIDED UNDER THE GRANT, INCLUDING ACCOUNTABILITY MEASURES AND PERFORMANCE REQUIREMENTS;

(2) TAKE INTO ACCOUNT THE NEED FOR EFFICIENT MULTIYEAR FUNDING AND ADMINISTRATION OF THE FUNDS; AND

(3) INCLUDE PROVISIONS FOR VERIFICATION THAT CORPS PROGRAMS AND PROJECTS ARE BEING IMPLEMENTED AS PLANNED.

1-906.

(A) FOR THE CORPS PROGRAM, THE DEPARTMENT AND QUALIFIED ORGANIZATIONS SHALL PRINCIPALLY RECRUIT INDIVIDUALS FOR A MINIMUM 6-MONTH COMMITMENT WHO, AT THE TIME OF ENROLLMENT, ARE AT LEAST 18 YEARS OLD AND NOT MORE THAN 25 YEARS OLD.

(B) QUALIFIED ORGANIZATIONS MAY NOT UNDERTAKE A PROJECT IF THE PROJECT WOULD REPLACE REGULAR WORKERS OR DUPLICATE OR REPLACE AN EXISTING SERVICE IN THE SAME LOCALITY.

(C) A CORPS MEMBER MAY RECEIVE A STIPEND.

1-907.

(A) THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE TO QUALIFIED ORGANIZATIONS THAT REQUEST ASSISTANCE.

(B) THE DEPARTMENT SHALL CONVENE CORPS MEMBERS ON A REGULAR BASIS IN ORDER TO:

(1) PROMOTE TEAM BUILDING AMONG THE PARTICIPANTS;

(2) DEVELOP AN UNDERSTANDING OF THE OVERALL CORPS PROGRAM PURPOSE;

(3) SHARE INFORMATION ABOUT BEST PRACTICES;

(4) RECOGNIZE EXCELLENCE; AND

(5) PROVIDE TRAINING AND OTHER LEARNING OPPORTUNITIES.

(C) IN PROVIDING TRAINING AND TECHNICAL ASSISTANCE, THE DEPARTMENT MAY CONTRACT WITH AN ORGANIZATION WITH A PROVEN TRACK RECORD OF DEVELOPING AND SUSTAINING CORPS PROGRAMS, WORKING WITH THE MARYLAND CONSERVATION CORPS MODEL, AND ENGAGING YOUNG PEOPLE.

1-908.

(A) THE CORPS PROGRAM'S PROJECTS AND ACTIVITIES SHALL MEET AN IDENTIFIABLE PUBLIC NEED WITHIN A COMMUNITY DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE, WITH SPECIFIC EMPHASIS ON PROJECTS THAT RESULT IN LONG-TERM REDUCTIONS TO GREENHOUSE GAS EMISSIONS AND IMPROVEMENTS TO PUBLIC HEALTH AND THE ENVIRONMENT.

(B) CLIMATE MITIGATION PROJECTS MAY INCLUDE:

(1) PROJECTS TO EXPAND URBAN TREE CANOPY, IMPLEMENT GREEN ROOFTOPS, AND TAKE OTHER ACTIONS TO REDUCE URBAN HEAT ISLAND EFFECTS; AND

(2) PROJECTS TO IMPROVE ACCESS TO CLEAN, RELIABLE TRANSPORTATION, INCLUDING THROUGH THE EXPANSION OF BIKE TRAILS AND PEDESTRIAN WALKWAYS.

(C) CLEAN ENERGY PROJECTS MAY INCLUDE:

(1) PROJECTS TO INSTALL RENEWABLE ENERGY SYSTEMS AT LOW-INCOME HOUSEHOLDS AND SCHOOLS, LIBRARIES, AND OTHER PUBLIC BUILDINGS;

(2) PROJECTS TO UNDERTAKE HOLISTIC RETROFITS OF LOW-INCOME HOUSEHOLDS, INCLUDING WEATHERIZATION AND HEAT PUMP INSTALLATION; AND

(3) PROJECTS TO PROVIDE EXPERIENCE IN THE ENERGY EFFICIENCY, ENVIRONMENTAL PROTECTION, GOVERNMENTAL AND REGULATORY ADMINISTRATION, AND RENEWABLE ENERGY GENERATION SECTORS.

1-909.

(A) THE DEPARTMENT AND THE CORPS BOARD SHALL SEEK FEDERAL FUNDS AND GRANTS AND DONATIONS FROM PRIVATE SOURCES TO BE MADE TO THE DEPARTMENT FOR THE PURPOSE OF LONG-TERM FUNDING OF THE CORPS PROGRAM.

(B) IN FISCAL YEAR 2024 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$ 1,500,000 TO THE DEPARTMENT FOR THE CORPS PROGRAM.

1-910.

(A) IN DEVELOPING ITS PROGRAMS AND SEEKING FEDERAL AND STATE

GRANTS, THE DEPARTMENT AND THE CORPS BOARD SHALL:

(1) COORDINATE ALL EFFORTS WITH THE MARYLAND CORPS PROGRAM ESTABLISHED UNDER § 24-1102 OF THE EDUCATION ARTICLE;

(2) COORDINATE ALL EFFORTS WITH THE MARYLAND CONSERVATION CORPS, TO ENGAGE YOUNG ADULTS IN CONSERVATION SERVICE PROJECTS;

(3) SEEK ASSISTANCE AND ADVICE FROM RELEVANT PUBLIC AND PRIVATE SOURCES; AND

(4) EXPLORE OPPORTUNITIES FOR INITIATING A COLLEGE-LEVEL CAMPAIGN TO ENGAGE WITH COMMUNITY COLLEGES, HISTORICALLY BLACK COLLEGES AND UNIVERSITIES, AND OTHER INSTITUTES OF HIGHER LEARNING IN THE STATE.

(B) IN DEVELOPING CLEAN ENERGY INFRASTRUCTURE AND EDUCATIONAL PROGRAMS, THE DEPARTMENT AND THE CORPS BOARD SHALL SEEK ASSISTANCE FROM AND COOPERATE WITH THE MARYLAND CLEAN ENERGY CENTER UNDER TITLE 10, SUBTITLE 8 OF THE ECONOMIC DEVELOPMENT ARTICLE.

(C) IN DEVELOPING ITS CORPS MEMBER PROGRAMS, THE DEPARTMENT AND THE CORPS BOARD SHALL SEEK ASSISTANCE FROM AND COOPERATE WITH:

(1) THE MARYLAND SERVICE CORPS AND THE GOVERNOR'S OFFICE ON SERVICE AND VOLUNTEERISM UNDER TITLE 9.5, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE;

(2) THE DEPARTMENT OF COMMERCE AND OTHER APPROPRIATE UNITS OF STATE GOVERNMENT AND PRIVATE SECTOR ENTITIES TO DEVELOP OPPORTUNITIES FOR STUDENT PARTICIPATION IN PRIVATE SECTOR ACTIVITIES, SUCH AS INTERNSHIP AND EXTERNSHIP PROGRAMS; AND

(3) COMMUNITY COLLEGES, 4-YEAR COLLEGES, AND UNIVERSITIES IN THE STATE, TO DEVELOP OPPORTUNITIES FOR COURSE CREDIT ARRANGEMENTS THROUGH WHICH CORPS MEMBERS MAY EARN COURSE CREDITS FOR PARTICIPATION IN THE CORPS PROGRAM AS AN ALTERNATIVE TO OR IN ADDITION TO PAYMENT OF A STIPEND.

9-111.

(A) ON OR BEFORE OCTOBER 1 EACH YEAR, THE DEPARTMENT, IN CONSULTATION WITH THE CORPS BOARD, SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

(B) THE REPORT SHALL INCLUDE A COMPLETE OPERATING AND FINANCIAL STATEMENT COVERING THE OPERATIONS OF THE CORPS BOARD AND A SUMMARY OF THE ACTIVITIES OF THE CORPS BOARD DURING THE PRECEDING FISCAL YEAR.

3 2-407.

4 (A) ~~THIS~~ SUBJECT TO § 2-409 OF THIS SUBTITLE, THIS SECTION APPLIES ONLY TO A
5 MUNICIPAL SOLID WASTE LANDFILL
6 THAT IS REQUIRED TO MONITOR AND REPORT METHANE EMISSIONS TO THE
7 DEPARTMENT.

8 (B) IF METHANE EMISSIONS DATA ACQUIRED FROM AIRCRAFT
9 OBSERVATIONS, WHERE AVAILABLE, EXCEEDS THE GROUND-LEVEL EMISSIONS
10 DATA REPORTED BY A MUNICIPAL SOLID WASTE LANDFILL BY MORE THAN 25%, THE
11 DEPARTMENT SHALL REQUIRE THE LANDFILL OPERATOR TO:

12 (1) INVESTIGATE THE DIFFERENCE BETWEEN THE DATA;

13 (2) REASSESS THE METHODOLOGY AND EQUIPMENT USED TO OBTAIN
THE GROUND-LEVEL DATA; AND

14 (3) (i) TAKE ANY STEPS NECESSARY TO IMPROVE THE ACCURACY
15 OF GROUND-LEVEL EMISSIONS DATA; OR

16 (ii) EXPLAIN TO THE DEPARTMENT THE SCIENTIFIC BASIS FOR
17 BELIEVING THAT THE GROUND-LEVEL EMISSIONS DATA IS ACCURATE.

18 (c) THE DEPARTMENT SHALL PUBLICLY DISCLOSE ON THE DEPARTMENT'S
19 WEBSITE:

20 (1) ALL METHANE EMISSIONS DATA OBTAINED THROUGH AIRPLANE
21 OBSERVATIONS; AND

22 (2) ANY DISCREPANCIES BETWEEN METHANE EMISSIONS DATA
23 OBTAINED THROUGH AIRCRAFT OBSERVATIONS AND GROUND-LEVEL METHANE
24 EMISSIONS DATA REPORTED BY MUNICIPAL SOLID WASTE LANDFILLS.

25 2-408.

26 ~~(A) ON SUBJECT TO § 2-409 OF THIS SUBTITLE OR BEFORE JANUARY 1, 2024, THE~~
DEPARTMENT SHALL ADOPT
27 REGULATIONS ESTABLISHING SURFACE METHANE EMISSIONS STANDARDS FOR
28 MUNICIPAL SOLID WASTE LANDFILLS.

29 ~~(B) THE REGULATIONS SHALL BE AT LEAST AS STRINGENT AS THE~~
30 ~~CALIFORNIA LANDFILL METHANE REGULATION ADOPTED ON JUNE 17, 2010.~~

2-409.

(A) THE DEPARTMENT MAY EXEMPT A MUNICIPAL SOLID WASTE LANDFILL
FROM THE REQUIREMENTS OF §§ 2-407 AND 2-408 OF THIS SUBTITLE BASED ON:

(1) ACTUAL SITE EMISSION DATA OR MODELS;

(2) ACTIVITIES SUCH AS VOLUNTARY IMPLEMENTATION OF LANDFILL
GAS MANAGEMENT SYSTEMS BELOW MANDATORY GAS MANAGEMENT THRESHOLDS
ESTABLISHED UNDER TITLE V OF THE FEDERAL CLEAN AIR ACT;

(3) IMPLEMENTATION OF ORGANICS COMPOSTING SYSTEMS;

(4) IMPLEMENTATION OF ENCLOSED ORGANICS ANAEROBIC DIGESTION
WITH GAS CAPTURE THAT OTHERWISE REDUCE GREENHOUSE GASES;

(5) REQUESTS FROM MUNICIPAL SOLID WASTE LANDFILL OPERATORS TO
ACCOMMODATE THE CONSTRUCTION OF NEW RENEWABLE ENERGY FACILITIES ON CLOSED
MUNICIPAL SOLID WASTE LANDFILLS; OR

(6) OTHER SCIENCE-BASED, EVIDENTIARY EXEMPTION
REQUESTS.

(B) IF THE COST OF MONITORING OR MEASURING METHANE EMISSIONS
FROM A MUNICIPAL SOLID WASTE LANDFILL IN ACCORDANCE WITH STATE REQUIREMENTS
ESTABLISHED UNDER §§ 2-407 OR 2-408 OF THIS SUBTITLE EXCEEDS THE COSTS OF
MEASURING OR MONITORING METHANE EMISSIONS IN ACCORDANCE WITH FEDERAL
REQUIREMENTS, THE STATE SHALL REIMBURSE THE LANDFILL OPERATOR FOR 50% OF THE COST
DIFFERENCE.

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1 2-1201.

2 The General Assembly finds that:

3 (4) The State has the ingenuity to reduce the threat of global warming and
4 make greenhouse gas reductions a part of the State's future by achieving a 25% reduction
5 in greenhouse gas emissions from 2006 levels by 2020 and by preparing a plan to meet a
6 longer-term goal of [reducing greenhouse gas emissions by up to 90% from 2006 levels by
7 2050] **ACHIEVING NET-ZERO STATEWIDE GREENHOUSE GAS EMISSIONS BY 2045** in a
8 manner that promotes new "green" jobs, and protects existing jobs and the State's economic
9 well-being;

10 2-1205.

11 (a) The State shall develop plans, adopt regulations, and implement programs
12 that reduce statewide greenhouse gas emissions in accordance with this subtitle.

13 (b) On or before [December 31, 2018] **JUNE 30, 2023**, the Department shall:

14 (1) Submit a proposed plan that reduces statewide greenhouse gas
15 emissions by [40%] **60%** from 2006 levels by 2030 to the Governor and General Assembly;

16 (2) Make the proposed plan available to the public; and

17 (3) Convene a series of public workshops to provide interested parties with
18 an opportunity to comment on the proposed plan.

19 (c) (1) The Department shall, on or before December 31, 2012, adopt a final
20 plan that reduces statewide greenhouse gas emissions by 25% from 2006 levels by 2020.

21 (2) The Department shall, on or before December 31, [2019] **2023**, adopt a
22 final plan that [reduces]:

23 **(I) REDUCES** statewide greenhouse gas emissions by [40%] **60%**
24 from 2006 levels by 2030; **AND**

25 **(II) SETS THE STATE ON A PATH TOWARD ACHIEVING NET-ZERO**
26 **STATEWIDE GREENHOUSE GAS EMISSIONS BY 2045.**

27 (3) [The plans shall be developed in recognition of the finding by the
28 Intergovernmental Panel on Climate Change that developed countries will need to reduce
29 greenhouse gas emissions by between 80% and 95% from 1990 levels by 2050] **THE**
30 **DEPARTMENT SHALL:**

31 **(I) ON OR BEFORE DECEMBER 31, 2030, ADOPT A FINAL PLAN**
32 **THAT ACHIEVES NET-ZERO STATEWIDE GREENHOUSE GAS EMISSIONS BY 2045; AND**

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1 (II) ON OR BEFORE DECEMBER 31, 2035, REVIEW AND, AS
2 NECESSARY, REVISE THE FINAL PLAN TO ACHIEVE NET-ZERO STATEWIDE GAS
3 EMISSIONS BY 2045.

4 (d) The final plans required under subsection (c) of this section shall include:

5 (1) Adopted regulations that implement all plan measures for which State
6 agencies have existing statutory authority; and

7 (2) A summary of any new legislative authority needed to fully implement
8 the plans and a timeline for seeking legislative authority.

9 (E) A FINAL PLAN DEVELOPED UNDER THIS SECTION:

10 (1) MAY NOT INCLUDE HIGHWAY WIDENING OR ADDITIONAL ROAD
11 CONSTRUCTION AS A GREENHOUSE GAS EMISSION REDUCTION MEASURE;

12 (2) MAY INCLUDE THE USE OF CARBON CAPTURE AND STORAGE
13 TECHNOLOGY AS A GREENHOUSE GAS EMISSION REDUCTION MEASURE ONLY IF THE
14 TECHNOLOGY HAS BEEN SCIENTIFICALLY PROVEN TO ACHIEVE VERIFIABLE
15 CARBON REDUCTIONS;

16 (3) SHALL USE THE GLOBAL WARMING POTENTIAL FOR METHANE
17 OVER A 20-YEAR TIME HORIZON, AS ACCEPTED IN THE MOST RECENT ASSESSMENT
18 OF THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE, IN ESTIMATING THE
19 STATE'S GREENHOUSE GAS EMISSIONS REDUCTIONS;

20 (4) SHALL INCLUDE SPECIFIC ESTIMATES OF THE GREENHOUSE GAS
21 EMISSIONS REDUCTIONS THAT COULD BE ACHIEVED THROUGH THE EXPANSION OF
22 MASS TRANSIT OPTIONS; AND

23 (5) SHALL INCLUDE SPECIFIC ESTIMATES OF THE REDUCTIONS
24 EXPECTED FROM EACH GREENHOUSE GAS EMISSIONS REDUCTION MEASURE
25 INCLUDED IN THE PLAN.

26 [(e)] (F) In developing and adopting a final plan to reduce statewide greenhouse
27 gas emissions, the Department shall consult with State and local agencies as appropriate.

28 [(f)] (G) (1) Unless required by federal law or regulations or existing State
29 law, regulations adopted by State agencies to implement a final plan may not:

30 (i) Require greenhouse gas emissions reductions from the State's
31 manufacturing sector; or

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1 (ii) Cause a significant increase in costs to the State's manufacturing
2 sector.

3 (2) Paragraph (1) of this subsection may not be construed to exempt
4 greenhouse gas emissions sources in the State's manufacturing sector from the obligation
5 to comply with:

6 (i) Greenhouse gas emissions monitoring, recordkeeping, and
7 reporting requirements for which the Department had existing authority under § 2-301(a)
8 of this title on or before October 1, 2009; or

9 (ii) Greenhouse gas emissions reductions required of the
10 manufacturing sector as a result of the State's implementation of the Regional Greenhouse
11 Gas Initiative.

12 **[(g)] (H)** A regulation adopted by a State agency for the purpose of reducing
13 greenhouse gas emissions in accordance with this section may not be construed to result in
14 a significant increase in costs to the State's manufacturing sector unless the source would
15 not incur the cost increase but for the new regulation.

16 2-1206.

17 In developing and implementing the plans required by § 2-1205 of this subtitle, the
18 Department shall:

19 (1) Analyze the feasibility of measures to comply with the greenhouse gas
20 emissions reductions required by this subtitle;

21 (2) Consider the impact on rural communities of any transportation related
22 measures proposed in the plans;

23 (3) Provide that a greenhouse gas emissions source that voluntarily
24 reduces its greenhouse gas emissions before the implementation of this subtitle shall
25 receive appropriate credit for its early voluntary actions;

26 (4) Provide for the use of offset credits generated by alternative compliance
27 mechanisms executed within the State, including carbon sequestration projects, to achieve
28 compliance with greenhouse gas emissions reductions required by this subtitle;

29 (5) Ensure that the plans do not decrease the likelihood of reliable and
30 affordable electrical service and statewide fuel supplies;

31 (6) Consider whether the measures would result in an increase in
32 electricity costs to consumers in the State;

33 (7) Consider the impact of the plans on the ability of the State to:

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1 (i) Attract, expand, and retain commercial aviation services; and

2 (ii) Conserve, protect, and retain agriculture; [and]

3 (8) Ensure that the greenhouse gas emissions reduction measures
4 implemented in accordance with the plans:

5 (i) Are implemented in an efficient and cost-effective manner;

6 (ii) Do not disproportionately impact rural or low-income, low- to
7 moderate-income, or minority communities or any other particular class of electricity
8 ratepayers;

9 (iii) Minimize leakage;

10 (iv) Are quantifiable, verifiable, and enforceable;

11 (v) Directly cause no loss of existing jobs in the manufacturing
12 sector;

13 (vi) Produce a net economic benefit to the State's economy and a net
14 increase in jobs in the State, **AS COMPARED WITH A NO-ACTION SCENARIO**; and

15 (vii) Encourage new employment opportunities in the State related to
16 energy conservation, alternative energy supply, and greenhouse gas emissions reduction
17 technologies, **PARTICULARLY IN AREAS OF THE STATE EXPERIENCING LOW RATES OF**
18 **~~EMPLOYMENT OR HIGH CONCENTRATIONS OF POVERTY~~ A COMBINATION OF URBAN HEAT, CLIMATE CHANGE, AND**
ENVIRONMENTAL JUSTICE IMPACTS;

19 **(9) INCORPORATE TOP-DOWN METHANE EMISSIONS DATA ACQUIRED**
20 **THROUGH AIRCRAFT OBSERVATIONS; AND**

21 **(10) USE THE BEST AVAILABLE SCIENTIFIC INFORMATION, AS**
22 **INCLUDED IN THE MOST RECENT ASSESSMENTS AND REPORTS OF THE**
23 **INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE.**

24 2-1210.

25 On review of the study required under § 2-1207 of this subtitle, and the reports
26 required under § 2-1211 of this subtitle, the General Assembly:

27 (1) May act to maintain, revise, or eliminate the [40%] greenhouse gas
28 emissions [reduction] **REDUCTIONS** required under [§ 2-1204.1] **§§ 2-1204.1 AND**
29 **2-1204.2** of this subtitle; and

30 (2) Shall consider whether to continue the special manufacturing
31 provisions in § 2-1205(f)(1) of this subtitle.

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1 2-1303.

2 (a) The Commission shall establish:

3 (1) A Scientific and Technical Working Group;

4 (2) A Greenhouse Gas Mitigation Working Group;

5 (3) An Adaptation and Response Working Group; [and]

6 (4) An Education, Communication, and Outreach Working Group; AND

7 (5) **SUBJECT TO § 2-1303.1 OF THIS SUBTITLE, A JUST TRANSITION**
8 **EMPLOYMENT AND RETRAINING WORKING GROUP.**

9 **2-1303.1.**

10 (A) **IN THIS SECTION, "WORKING GROUP" MEANS THE JUST TRANSITION**
11 **EMPLOYMENT AND RETRAINING WORKING GROUP OF THE COMMISSION.**

12 (B) **THE COMMISSION SHALL ESTABLISH A JUST TRANSITION**
13 **EMPLOYMENT AND RETRAINING WORKING GROUP.**

14 (C) **THE WORKING GROUP SHALL INCLUDE:**

15 (1) **TWO MEMBERS OF THE SENATE OF MARYLAND, APPOINTED BY**
16 **THE PRESIDENT OF THE SENATE;**

17 (2) **TWO MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED BY**
18 **THE SPEAKER OF THE HOUSE;**

19 (3) **THE SECRETARY, OR THE SECRETARY'S DESIGNEE;**

20 (4) **THE SECRETARY OF LABOR, OR THE SECRETARY'S DESIGNEE;**

21 (5) **ONE ELECTRICAL WORKER, SELECTED BY THE INTERNATIONAL**
22 **BROTHERHOOD OF ELECTRICAL WORKERS;**

23 (6) **ONE CONSTRUCTION LABORER, SELECTED BY THE BALTIMORE**
24 **WASHINGTON LABORERS' DISTRICT COUNCIL;**

25 (7) **TWO REPRESENTATIVES OF THE BUILDING AND CONSTRUCTION**
26 **TRADE INDUSTRY, SELECTED BY THE BALTIMORE-DC METRO BUILDING AND**
27 **CONSTRUCTION TRADES COUNCIL;**

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1 (8) FOUR LABOR REPRESENTATIVES, THREE SELECTED BY THE MARYLAND
 2 STATE AFL-CIO AND ONE SELECTED BY THE MID-ATLANTIC PIPE TRADES ASSOCIATION;

3 (9) ONE REPRESENTATIVE OF THE ENERGY EFFICIENCY INDUSTRY,
 4 SELECTED BY THE SECRETARY;

5 (10) ~~ONE REPRESENTATIVE OF THE MARYLAND CHAPTER OF THE~~
 6 ~~SIERRA CLUB, SELECTED BY THE MARYLAND CHAPTER OF THE SIERRA CLUB;~~ TWO REPRESENTATIVES OF
 7 ENVIRONMENTAL ORGANIZATIONS, SELECTED BY THE GOVERNOR;

8 (11) ONE REPRESENTATIVE OF THE SOLAR ENERGY INDUSTRY,
 9 SELECTED BY THE ~~MARYLAND-DC-DELAWARE-VIRGINIA SOLAR ENERGY~~
 10 ~~INDUSTRIES~~ CHESAPEAKE SOLAR AND STORAGE ASSOCIATION;

11 (12) ONE REPRESENTATIVE OF THE WIND ENERGY INDUSTRY,
 12 SELECTED BY THE AMERICAN ~~WIND ENERGY~~ CLEAN POWER ASSOCIATION;

13 (13) ONE REPRESENTATIVE OF THE GEOTHERMAL ENERGY INDUSTRY
 14 SELECTED BY THE MARYLAND GEOTHERMAL ASSOCIATION;

15 ~~(13)~~ (14) TWO REPRESENTATIVES OF REGISTERED APPRENTICESHIP
 16 SPONSORS, ONE SELECTED BY THE MARYLAND CHAPTERS OF THE ASSOCIATED
 17 BUILDERS AND CONTRACTORS AND ONE SELECTED BY THE BALTIMORE-DC
 18 METRO BUILDING AND CONSTRUCTION TRADES COUNCIL;

19 ~~(14)~~ (15) ONE COMMUNITY COLLEGE REPRESENTATIVE, SELECTED BY THE
 20 MARYLAND ASSOCIATION OF COMMUNITY COLLEGES;

21 ~~(15)~~ (16) ONE REPRESENTATIVE WHO IS A VETERAN, SELECTED BY THE
 22 MARYLAND MILITARY COALITION;

23 ~~(16)~~ (17) ONE REPRESENTATIVE WHO IS A FORMERLY INCARCERATED
 24 INDIVIDUAL, SELECTED BY THE LEGAL ACTION CENTER NATIONAL H.I.R.E.
 25 NETWORKS;

26 ~~(17)~~ (18) TWO AT-LARGE REPRESENTATIVES WHO ARE WOMEN IN
 27 AFFECTED INDUSTRIES, SELECTED BY THE GOVERNOR; AND

28 ~~(18)~~ (19) TWO REPRESENTATIVES SELECTED BY THE MARYLAND STATE
 29 CHAPTER OF THE NAACP.

30 (D) THE SECRETARY SHALL DESIGNATE THE CHAIR OF THE WORKING
 GROUP.

(E) THE DEPARTMENT SHALL PROVIDE STAFF FOR THE WORKING GROUP.

(F) A MEMBER OF THE WORKING GROUP:

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1 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE
2 WORKING GROUP; BUT

3 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
4 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

5 (G) THE WORKING GROUP SHALL:

6 (1) ADVISE THE COMMISSION ON ISSUES AND OPPORTUNITIES FOR
7 WORKFORCE DEVELOPMENT AND TRAINING RELATED TO ENERGY EFFICIENCY
8 MEASURES, RENEWABLE ENERGY, AND OTHER CLEAN ENERGY TECHNOLOGIES,
9 WITH SPECIFIC FOCUS ON TRAINING AND WORKFORCE OPPORTUNITIES FOR:

10 (I) SEGMENTS OF THE POPULATION THAT MAY BE
11 UNDERREPRESENTED IN THE CLEAN ENERGY WORKFORCE, SUCH AS VETERANS,
12 WOMEN, AND FORMERLY INCARCERATED INDIVIDUALS; AND

13 (II) DISLOCATED WORKERS AFFECTED BY THE DOWNSIZING OF
14 FOSSIL FUEL INDUSTRIES;

15 (2) IDENTIFY:

16 (I) ENERGY-INTENSIVE INDUSTRIES AND RELATED TRADES;

17 (II) SITES OF ELECTRIC GENERATING FACILITIES THAT MAY BE
18 CLOSED AS A RESULT OF A TRANSITION TO RENEWABLE ENERGY SOURCES;

19 (III) SECTOR-SPECIFIC IMPACTS OF THE STATE'S GREENHOUSE
20 GAS EMISSIONS REDUCTION PLAN ON THE STATE'S CURRENT WORKFORCE;

21 (IV) AVENUES TO MAXIMIZE THE SKILLS AND EXPERTISE OF
22 MARYLAND WORKERS IN THE NEW ENERGY ECONOMY;

23 (V) CHALLENGES AND OPPORTUNITIES RELATED TO
24 MINIMIZING ADVERSE EMPLOYMENT AND FINANCIAL IMPACTS ON DISPLACED
25 WORKERS AND THEIR COMMUNITIES THROUGH ENVIRONMENTAL POLICIES
26 CONDITIONED ON THE FAIR DISTRIBUTION OF COSTS AND BENEFITS; AND

27 (VI) RESOURCES NECESSARY TO PROTECT WORKERS FROM
28 ECONOMIC INSECURITY, INCLUDING OPTIONS FOR MAINTAINING OR
29 SUPPLEMENTING RETIREMENT AND HEALTH CARE BENEFITS FOR DISLOCATED
30 WORKERS AFFECTED BY THE DOWNSIZING OF FOSSIL FUEL INDUSTRIES;

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20

1 **(3) ADVISE THE COMMISSION ON THE POTENTIAL IMPACTS OF**
2 **CARBON LEAKAGE RISKS ON MARYLAND INDUSTRIES AND LOCAL HOST**
3 **COMMUNITIES, INCLUDING THE IMPACT OF ANY POTENTIAL GREENHOUSE GAS**
4 **EMISSIONS REDUCTION MEASURES ON THE COMPETITIVENESS OF MARYLAND**
5 **BUSINESSES AND INDUSTRY; AND**

6 **(4) CONDUCT A STUDY OF:**

7 **(I) THE NUMBER OF JOBS CREATED TO COUNTER CLIMATE**
8 **CHANGE, INCLUDING IN THE ENERGY SECTOR, BUILDING SECTOR,**
9 **TRANSPORTATION SECTOR, AND WORKING LANDS SECTOR;**

10 **(II) THE PROJECTED INVENTORY OF JOBS NEEDED AND SKILLS**
11 **AND TRAINING REQUIRED TO MEET FUTURE DEMAND FOR JOBS TO COUNTER**
12 **CLIMATE CHANGE;**

13 **(III) WORKFORCE DISRUPTION DUE TO COMMUNITY CHANGES**
14 **CAUSED BY THE TRANSITION TO A LOW-CARBON ECONOMY; AND**

15 **(IV) STRATEGIES FOR TARGETING WORKFORCE DEVELOPMENT**
16 **AND JOB CREATION IN FENCELINE COMMUNITIES THAT HAVE HISTORICALLY BORNE**
17 **THE BRUNT OF HOSTING CARBON POLLUTERS.**

18 **(H) ON OR BEFORE DECEMBER 31, 2023, THE WORKING GROUP SHALL**
19 **REPORT TO THE COMMISSION AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE**
20 **GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE FINDINGS OF THE STUDY**
21 **REQUIRED UNDER SUBSECTION (G)(4) OF THIS SECTION.**

22 2-1304.

23 **(A) On or before November 15 of each year, the Commission shall report to the**
24 **Governor and General Assembly, in accordance with § 2-1257 of the State Government**
25 **Article, on the status of the State's efforts to mitigate the causes of, prepare for, and adapt**
26 **to the consequences of climate change, including future plans and recommendations for**
27 **legislation, if any, to be considered by the General Assembly.**

28 **(B) THE REPORT DUE ON OR BEFORE NOVEMBER 15, 2023, AND EACH**
29 **SUBSEQUENT REPORT SHALL INCLUDE AN ANALYSIS, PREPARED BY THE**
30 **DEPARTMENT, OF:**

31 **(1) THE TOTAL AMOUNT OF STATE MONEY SPENT ON MEASURES TO**
32 **REDUCE GREENHOUSE GASES AND, TO THE EXTENT PRACTICABLE,**
33 **CO-POLLUTANTS, DURING THE IMMEDIATELY PRECEDING FISCAL YEAR; AND**

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21

1 **(2) THE PERCENTAGE OF THAT FUNDING THAT BENEFITED**
2 **DISPROPORTIONATELY AFFECTED COMMUNITIES IDENTIFIED ACCORDING TO THE**
3 **METHODOLOGY ADOPTED BY THE DEPARTMENT UNDER § 1-702 OF THIS ARTICLE.**

4 2-1305.

5 (a) (1) Each State agency shall review its planning, regulatory, and fiscal
6 programs to identify and recommend actions to more fully integrate the consideration of
7 Maryland's greenhouse gas reduction goal and the impacts of climate change.

8 (2) The review shall include the consideration of:

9 (i) Sea level rise;

10 (ii) Storm surges and flooding;

11 (iii) Increased precipitation and temperature; and

12 (iv) Extreme weather events.

13 (b) Each State agency shall identify and recommend specific policy, planning,
14 regulatory, and fiscal changes to existing programs that do not currently support the State's
15 greenhouse gas reduction efforts or address climate change.

16 (c) (1) The following State agencies shall report annually on the status of
17 programs that support the State's greenhouse gas reduction efforts or address climate
18 change, in accordance with § 2-1257 of the State Government Article, to the Commission
19 and the Governor:

20 (i) The Department;

21 (ii) The Department of Agriculture;

22 (iii) The Department of General Services;

23 (iv) The Department of Housing and Community Development;

24 (v) The Department of Natural Resources;

25 (vi) The Department of Planning;

26 (vii) The Department of Transportation;

27 (viii) The Maryland Energy Administration;

28 (ix) The Maryland Insurance Administration;

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- 1 (x) The Public Service Commission; and
- 2 (xi) The University of Maryland Center for Environmental Science.
- 3 (2) The report required in paragraph (1) of this subsection shall include:
- 4 (i) Program descriptions and objectives;
- 5 (ii) Implementation milestones, whether or not they have been met;
- 6 (iii) Enhancement opportunities;
- 7 (iv) Funding;
- 8 (v) Challenges;
- 9 (vi) Estimated greenhouse gas emissions reductions, by program, for
- 10 the prior calendar year; and
- 11 (vii) Any other information that the agency considers relevant.

12 **(D) EACH STATE AGENCY, WHEN CONDUCTING LONG-TERM PLANNING,**
 13 **DEVELOPING POLICY, AND DRAFTING REGULATIONS, SHALL TAKE INTO**
 14 **~~CONSIDERATION~~ THE CONSIDERATION:**

15 **(1) THE LIKELY CLIMATE IMPACT OF THE AGENCY'S DECISIONS**
RELATIVE TO MARYLAND'S GREENHOUSE GAS EMISSIONS REDUCTION GOALS ; AND

(2) THE LIKELY IMPACT OF THE AGENCY'S DECISIONS ON
DISPROPORTIONATELY AFFECTED COMMUNITIES IDENTIFIED ACCORDING TO THE METHODOLOGY
ADOPTED BY THE DEPARTMENT UNDER § 1-702 OF THIS ARTICLE.

16 2-1501.

- 17 (a) In this subtitle the following words have the meanings indicated.
- 18 (b) "Fund" means the Zero-Emission Vehicle School Bus Transition Fund.
- 19 (c) "Program" means the Zero-Emission Vehicle School Bus Transition Grant
- 20 Program.
- 21 (d) "Zero-emission vehicle" has the meaning stated in § 23-206.4 of the
- 22 Transportation Article.

23 **2-1505.**

24 **(A) IN THIS SECTION, "INCREMENTAL COSTS" MEANS:**

- 25 **(1) IN THE CASE OF A CONTRACT FOR THE PURCHASE OF SCHOOL**
- 26 **BUSES, THE COST DIFFERENCE BETWEEN PURCHASING AND OPERATING SCHOOL**
- 27 **BUSES THAT ARE ZERO-EMISSION VEHICLES AND SCHOOL BUSES THAT ARE**
- 28 **DIESEL-POWERED VEHICLES; AND**

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1 (2) IN THE CASE OF A CONTRACT FOR THE USE OF SCHOOL BUSES,
 2 THE COST DIFFERENCE BETWEEN CONTRACTING FOR THE USE OF SCHOOL BUSES
 3 THAT ARE ZERO-EMISSION VEHICLES AND SCHOOL BUSES THAT ARE
 4 DIESEL-POWERED VEHICLES.

5 (B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, BEGINNING
 6 IN FISCAL YEAR ~~2024~~ 2025, A COUNTY BOARD OF EDUCATION MAY NOT ENTER INTO A NEW
 7 CONTRACT ~~FOR THE FOR~~ FOR:

8 (1) THE PURCHASE ~~OR USE~~ OF ANY SCHOOL BUS THAT IS NOT A
 ZERO-EMISSION VEHICLE ; OR

(2) THE USE OF ANY SCHOOL BUS THAT IS NOT A ZERO-EMISSION
 VEHICLE, UNLESS THE SCHOOL BUS HAS AN IN-SERVICE DATE OF JULY 1, 2024 OR
 BEFORE.

9 (C) THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION DO NOT
 10 APPLY IF:

11 (1) THE DEPARTMENT DETERMINES THAT NO AVAILABLE
 12 ZERO-EMISSION VEHICLE MEETS THE PERFORMANCE REQUIREMENTS FOR THE
 13 COUNTY BOARD'S USE; OR

14 (2) THE COUNTY BOARD IS UNABLE TO OBTAIN FEDERAL, STATE, OR
 15 PRIVATE FUNDING SUFFICIENT TO COVER THE INCREMENTAL COSTS ASSOCIATED
 16 WITH CONTRACTING FOR THE PURCHASE OR USE OF SCHOOL BUSES THAT ARE
 17 ZERO-EMISSION VEHICLES.

18 (D) A COUNTY BOARD MAY ENTER INTO AN AGREEMENT WITH AN ELECTRIC
 19 COMPANY TO OBTAIN MONETARY INCENTIVES IN EXCHANGE FOR ALLOWING THE
 20 ELECTRIC COMPANY TO USE THE STORAGE BATTERIES OF ZERO-EMISSION BUSES
 21 OWNED OR OPERATED BY THE COUNTY BOARD TO ACCESS THE STORED
 22 ELECTRICITY THROUGH VEHICLE-TO-GRID TECHNOLOGY.

(E) THE DEPARTMENT, IN CONSULTATION WITH OTHER APPROPRIATE
 STATE AGENCIES, SHALL WORK WITH THE COUNTY BOARDS AND PRIVATE SCHOOL BUS
 CONTRACTORS TO DEVELOP ELECTRIC VEHICLE INFRASTRUCTURE SUFFICIENT TO SUPPORT SCHOOL
 BUSES THAT ARE ZERO-EMISSION VEHICLES.

(F) THE DEPARTMENT SHALL PRIORITIZE THE USE OF AVAILABLE FEDERAL
 FUNDING TO CARRY OUT THIS SECTION.

23 SUBTITLE 16. BUILDING ~~EMISSIONS~~ ENERGY PERFORMANCE STANDARDS.
 24 2-1601.

25 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
 26 INDICATED.

(B) (1) "AGRICULTURAL BUILDING" MEANS A STRUCTURE
 THAT IS USED PRIMARILY TO CULTIVATE, MANUFACTURE, PROCESS, OR PRODUCE
 AGRICULTURAL CROPS, RAW MATERIALS, PRODUCTS, OR COMMODITIES.

(2) "AGRICULTURAL BUILDING" INCLUDES A GREENHOUSE.

27 ~~(B)~~ (C) "BUILDING" HAS THE MEANING STATED IN THE INTERNATIONAL
 28 BUILDING CODE.

(D) "COMMERCIAL BUILDING" MEANS A BUILDING THAT IS SUBJECT TO

THE COMMERCIAL PROVISIONS OF THE INTERNATIONAL ENERGY CONSERVATION
CODE.

29 ~~(C)~~ (E) (1) "COVERED BUILDING" MEANS A COMMERCIAL OR MULTIFAMILY
30 RESIDENTIAL BUILDING IN THE STATE THAT HAS A GROSS FLOOR AREA OF 25,000
31 SQUARE FEET OR MORE, EXCLUDING THE PARKING GARAGE AREA.

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1 (2) "COVERED BUILDING" DOES NOT INCLUDE:

2 (I) A BUILDING DESIGNATED AS A HISTORIC PROPERTY UNDER
3 FEDERAL, STATE, ~~OR~~ LOCAL LAW; OR

4 (II) A PUBLIC OR NONPUBLIC ELEMENTARY OR SECONDARY SCHOOL BUILDING ;
OR

(III) AN AGRICULTURAL BUILDING.

5 ~~(D)~~ (F) "DIRECT GREENHOUSE GAS EMISSIONS" MEANS GREENHOUSE GAS
EMISSIONS PRODUCED
6 ON-SITE BY ~~A COVERED BUILDING~~ COVERED BUILDINGS.

Article - Housing and Community Development

4-211.

(D) (1) (i) IN THIS SUBSECTION THE FOLLOWING
WORDS HAVE THE MEANINGS INDICATED.

(ii) "COVERED BUILDING" HAS THE MEANING STATED IN § 2-1601
OF THE ENVIRONMENT ARTICLE.

(ii) "ENERGY CONSERVATION PROJECT" MEANS A PROJECT THAT
QUALIFIES UNDER § 4-218 OF THIS SUBTITLE.

(2) FOR THE PURPOSE OF REDUCING DIRECT GREENHOUSE GAS
EMISSIONS FROM MULTIFAMILY RESIDENTIAL BUILDINGS IN ACCORDANCE WITH THE
STANDARDS ADOPTED UNDER § 2-1601 OF THE ENVIRONMENT ARTICLE, THE
ADMINISTRATION SHALL DEVELOP AND IMPLEMENT A PROGRAM TO PROVIDE GRANTS FOR
ENERGY CONSERVATION PROJECTS AND PROJECTS TO INSTALL RENEWABLE ENERGY
GENERATING SYSTEMS IN COVERED BUILDINGS THAT HOUSE PRIMARILY LOW- TO
MODERATE-INCOME HOUSEHOLDS.

(3) GRANTS PROVIDED UNDER THIS SUBSECTION MAY NOT BE USED
FOR A PROJECT TO INSTALL NEW EQUIPMENT THAT USES FOSSIL FUELS OR IMPROVE THE
EFFICIENCY OF EXISTING EQUIPMENT THAT USES FOSSIL FUELS.

(4) IN EACH OF FISCAL YEARS 2024 THROUGH 2026, THE GOVERNOR
SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$ 5,000,000 TO THE
DEPARTMENT FOR THE PURPOSE OF PROVIDING GRANTS UNDER THIS SUBSECTION.

(5) ON OR BEFORE DECEMBER 1, 2023, AND EACH YEAR THEREAFTER,
THE ADMINISTRATION SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH §
2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE PROJECTS
FUNDED UNDER THIS SUBSECTION.

~~Article - Natural Resources~~

7
8 ~~§ 1925. RESERVED.~~

9 ~~§ 1926. RESERVED.~~

10 ~~PART III. MARYLAND CLIMATE JUSTICE CORPS.~~

11 ~~§ 1927.~~

12 ~~(A) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS~~
13 ~~INDICATED.~~

14 ~~(B) "CLEAN ENERGY PROJECT" MEANS A PROJECT TO IMPROVE ACCESS TO~~

15 ~~CLEAN, RENEWABLE ENERGY SOURCES IN A COMMUNITY DISPROPORTIONATELY~~
16 ~~AFFECTED BY CLIMATE CHANGE.~~

17 ~~(c) "CLIMATE MITIGATION PROJECT" MEANS A PROJECT TO REDUCE~~
18 ~~EMISSIONS OF GREENHOUSE GASES AND CO-POLLUTANTS AND MITIGATE THE~~
19 ~~HEALTH IMPACTS OF CLIMATE CHANGE IN A COMMUNITY DISPROPORTIONATELY~~
20 ~~AFFECTED BY CLIMATE CHANGE.~~

21 ~~(d) "COMMUNITY DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE"~~
22 ~~MEANS A COMMUNITY IDENTIFIED USING THE METHODOLOGY RECOMMENDED BY~~
23 ~~THE COMMISSION ON ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES~~
24 ~~UNDER § 1-702 OF THE ENVIRONMENT ARTICLE.~~

25 ~~(e) "CORPS BOARD" MEANS THE ADVISORY BOARD OF THE CORPS~~
26 ~~PROGRAM.~~

27 ~~(f) "CORPS PROGRAM" MEANS THE MARYLAND CLIMATE JUSTICE CORPS~~
28 ~~PROGRAM ESTABLISHED UNDER § 8-1028 OF THIS PART.~~

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25

1 ~~(C) "QUALIFIED ORGANIZATION" MEANS:~~

2 ~~(1) A NONPROFIT ORGANIZATION;~~

3 ~~(2) A SCHOOL;~~

4 ~~(3) A COMMUNITY ASSOCIATION;~~

5 ~~(4) A SERVICE, YOUTH, OR CIVIC GROUP;~~

6 ~~(5) AN INSTITUTION OF HIGHER EDUCATION;~~

7 ~~(6) A COUNTY OR MUNICIPALITY; OR~~

8 ~~(7) A UNIT OF STATE GOVERNMENT.~~

9 ~~(H) "TRUST" MEANS THE CHESAPEAKE BAY TRUST.~~

10 ~~§ 1028.~~

11 ~~(A) THERE IS A MARYLAND CLIMATE JUSTICE CORPS PROGRAM~~
12 ~~ADMINISTERED BY THE TRUST, IN CONSULTATION WITH THE CORPS BOARD.~~

13 ~~(B) THE PURPOSE OF THE CORPS PROGRAM IS TO:~~

14 ~~(1) PROMOTE CLIMATE JUSTICE AND ASSIST THE STATE IN~~
15 ~~ACHIEVING ITS GREENHOUSE GAS EMISSIONS REDUCTION TARGETS;~~

16 ~~(2) PROVIDE YOUNG ADULTS WITH OPPORTUNITIES TO BECOME~~
17 ~~BETTER CITIZENS, STUDENTS, AND WORKERS THROUGH MEANINGFUL SERVICE TO~~
18 ~~THEIR COMMUNITIES AND THE STATE;~~

19 ~~(3) MOBILIZE, EDUCATE, AND TRAIN YOUTH AND YOUNG ADULTS TO~~
20 ~~DEPLOY CLEAN ENERGY TECHNOLOGY AND MITIGATE AND PREVENT THE~~
21 ~~ENVIRONMENTAL AND HEALTH IMPACTS OF CLIMATE CHANGE IN COMMUNITIES~~
22 ~~DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE; AND~~

23 ~~(4) PROVIDE OPPORTUNITIES FOR YOUTH AND YOUNG ADULTS,~~
24 ~~ESPECIALLY DISADVANTAGED YOUTH, TO BE TRAINED FOR CAREERS THAT WILL BE~~
25 ~~PART OF THE EMERGING FIELD OF "GREEN COLLAR" JOBS.~~

26 ~~§ 1020.~~

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1 ~~(A) (1) THE PURPOSE OF THE CORPS BOARD IS TO ADVISE THE TRUST IN~~
2 ~~THE DEVELOPMENT AND IMPLEMENTATION OF THE CORPS PROGRAM.~~

3 ~~(2) THE CORPS BOARD CONSISTS OF THE FOLLOWING 11 MEMBERS:~~

4 ~~(i) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED~~
5 ~~BY THE PRESIDENT OF THE SENATE;~~

6 ~~(ii) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED~~
7 ~~BY THE SPEAKER OF THE HOUSE;~~

8 ~~(iii) ONE MEMBER APPOINTED BY THE PRESIDENT OF MORGAN~~
9 ~~STATE UNIVERSITY, TO SERVE AS A LIAISON BETWEEN THE CORPS BOARD, THE~~
10 ~~PRESIDENT, AND THE BOARD OF REGENTS;~~

11 ~~(iv) THREE MEMBERS OF THE BOARD OF TRUSTEES OF THE~~
12 ~~CHESAPEAKE BAY TRUST, APPOINTED BY THE CHAIR OF THE BOARD; AND~~

13 ~~(v) FIVE MEMBERS APPOINTED BY THE GOVERNOR WITH THE~~
14 ~~ADVICE AND CONSENT OF THE SENATE, INCLUDING AT LEAST ONE INDIVIDUAL~~
15 ~~FROM THE NONPROFIT SECTOR WITH A BACKGROUND IN EDUCATION AND STUDENT~~
16 ~~SERVICE AND ONE WITH A BACKGROUND IN WORKFORCE DEVELOPMENT.~~

17 ~~(3) IF A REGULATED LOBBYIST IS APPOINTED TO SERVE AS A MEMBER~~
18 ~~OF THE CORPS BOARD, THE LOBBYIST IS NOT SUBJECT TO:~~

19 ~~(i) § 5-504(D) OF THE GENERAL PROVISIONS ARTICLE; OR~~

20 ~~(ii) § 5-704(F)(3) OF THE GENERAL PROVISIONS ARTICLE AS A~~
21 ~~RESULT OF THAT SERVICE.~~

22 ~~(B) A MEMBER OF THE CORPS BOARD SHALL RESIDE IN THE STATE.~~

23 ~~(C) IN MAKING APPOINTMENTS TO THE CORPS BOARD, THE GOVERNOR~~
24 ~~SHALL CONSIDER:~~

25 ~~(1) DIVERSITY; AND~~

26 ~~(2) ALL GEOGRAPHIC REGIONS OF THE STATE.~~

27 ~~(D) A MEMBER OF THE CORPS BOARD;~~

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27

1 ~~(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE CORPS~~
2 ~~BOARD, BUT~~

3 ~~(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE~~
4 ~~STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.~~

5 ~~(E) (1) THE TERM OF A MEMBER IS 4 YEARS.~~

6 ~~(2) THE TERMS OF THE MEMBERS ARE STAGGERED AS REQUIRED BY~~
7 ~~THE TERMS PROVIDED FOR MEMBERS ON JULY 1, 2022.~~

8 ~~(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL~~
9 ~~A SUCCESSOR IS APPOINTED AND QUALIFIES.~~

10 ~~(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES~~
11 ~~ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND~~
12 ~~QUALIFIES.~~

13 ~~(F) THE APPOINTING AUTHORITY MAY REMOVE A MEMBER FOR~~
14 ~~INCOMPETENCE, MISCONDUCT, OR FAILURE TO PERFORM THE DUTIES OF THE~~
15 ~~POSITION.~~

16 ~~(G) (1) THE CORPS BOARD SHALL DETERMINE THE TIMES AND PLACES~~
17 ~~OF ITS MEETINGS.~~

18 ~~(2) THE CORPS BOARD MAY ACT WITH AN AFFIRMATIVE VOTE OF SIX~~
19 ~~MEMBERS.~~

20 ~~§ 1930.~~

21 ~~(A) FROM AMONG ITS MEMBERS, THE CORPS BOARD SHALL ELECT A CHAIR~~
22 ~~AND A VICE CHAIR.~~

23 ~~(B) THE TRUST SHALL PROVIDE STAFF SUPPORT FOR THE CORPS BOARD.~~

24 ~~§ 1931.~~

25 ~~(A) (1) THE TRUST, IN CONSULTATION WITH THE CORPS BOARD, SHALL~~
26 ~~MAKE GRANTS TO QUALIFIED ORGANIZATIONS FOR THE CREATION OR EXPANSION~~
27 ~~OF FULL AND PART TIME MARYLAND CLIMATE JUSTICE CORPS PROGRAMS, THAT~~
28 ~~INVOLVE STUDENTS AND YOUNG ADULTS THROUGHOUT THE STATE, TO CARRY OUT~~
29 ~~THIS PART.~~

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1 ~~(2) CORPS PROGRAMS SHALL ENGAGE AND DEVELOP STIPEND~~
2 ~~VOLUNTEERS IN CLIMATE JUSTICE PROJECTS AND CLEAN ENERGY PROJECTS IN~~
3 ~~COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE.~~

4 ~~(3) ELIGIBLE CORPS PROGRAM EXPENSES INCLUDE PERSONNEL~~
5 ~~COSTS, STIPENDS, SUPPLIES, AND OTHER MATERIALS FOR PROJECTS UNDERTAKEN~~
6 ~~BY CORPS PROGRAM VOLUNTEERS.~~

7 ~~(b) THE TRUST, IN CONSULTATION WITH THE CORPS BOARD, SHALL~~
8 ~~DEVELOP GUIDELINES FOR EVALUATING APPLICATIONS FROM QUALIFIED~~
9 ~~ORGANIZATIONS.~~

10 ~~(c) THE GUIDELINES DEVELOPED IN ACCORDANCE WITH SUBSECTION (b)~~
11 ~~OF THIS SECTION SHALL:~~

12 ~~(1) CONSIDER THE CAPABILITY OF THE QUALIFIED ORGANIZATION~~
13 ~~TO CARRY OUT CORPS PROGRAMS OR PROJECTS;~~

14 ~~(2) ENCOURAGE AND CONSIDER MULTIYEAR, MULTIPARTNER~~
15 ~~PROPOSALS, LOCAL MATCH, COST SHARING AGREEMENTS, AND IN-KIND MATCH AS~~
16 ~~FACTORS IN EVALUATING CORPS PROGRAM GRANT APPLICATIONS; AND~~

17 ~~(3) REQUIRE GRANT APPLICATIONS TO DESCRIBE HOW THE~~
18 ~~QUALIFYING ORGANIZATION INTENDS TO:~~

19 ~~(i) ASSESS THE SKILLS OF CORPS PROGRAM VOLUNTEERS;~~

20 ~~(ii) PROVIDE LIFE SKILLS AND WORK SKILLS TRAINING;~~

21 ~~(iii) PROVIDE TRAINING AND EDUCATION, IN ADDITION TO THE~~
22 ~~TRAINING PROVIDED AS A PART OF THE MAIN CORPS PROGRAM;~~

23 ~~(iv) DEVELOP, WHERE RELEVANT, AGREEMENTS FOR~~
24 ~~ACADEMIC STUDY WITH:~~

25 ~~1. LOCAL EDUCATION AGENCIES;~~

26 ~~2. COMMUNITY COLLEGES;~~

27 ~~3. 4-YEAR COLLEGES;~~

28 ~~4. AREA CHARTER HIGH SCHOOLS AND~~
29 ~~VOCATIONAL TECHNICAL SCHOOLS; AND~~

1 ~~5. COMMUNITY-BASED ORGANIZATIONS;~~

2 ~~(v) PROVIDE CAREER AND EDUCATIONAL GUIDANCE;~~

3 ~~(vi) RECRUIT PARTICIPANTS WITHOUT HIGH SCHOOL~~
 4 ~~DIPLOMAS; AND~~

5 ~~(vii) RECRUIT RETIRED AND SEMIRETIRED SENIORS AND OTHER~~
 6 ~~QUALIFIED INDIVIDUALS WITH RELEVANT EXPERIENCE TO TRAIN CORPS PROGRAM~~
 7 ~~VOLUNTEERS AND PARTICIPATE IN CORPS PROJECTS BY VOLUNTEERING THEIR~~
 8 ~~EXPERIENCE AND SKILLS.~~

9 ~~(d) A GRANT AGREEMENT REGARDING FUNDS FROM THE TRUST SHALL:~~

10 ~~(1) SPECIFY THE ALLOWED USE OF THE FUNDS PROVIDED UNDER~~
 11 ~~THE GRANT, INCLUDING ACCOUNTABILITY MEASURES AND PERFORMANCE~~
 12 ~~REQUIREMENTS;~~

13 ~~(2) TAKE INTO ACCOUNT THE NEED FOR EFFICIENT MULTYEAR~~
 14 ~~FUNDING AND ADMINISTRATION OF THE FUNDS; AND~~

15 ~~(3) INCLUDE PROVISIONS FOR VERIFICATION THAT CORPS~~
 16 ~~PROGRAMS AND PROJECTS ARE BEING IMPLEMENTED AS PLANNED.~~

17 ~~S 1932.~~

18 ~~(A) FOR STIPEND VOLUNTEER PROGRAMS, THE TRUST AND QUALIFIED~~
 19 ~~ORGANIZATIONS SHALL PRINCIPALLY RECRUIT INDIVIDUALS FOR A MINIMUM~~
 20 ~~6 MONTH COMMITMENT WHO, AT THE TIME OF ENROLLMENT, ARE AT LEAST 18~~
 21 ~~YEARS OLD AND NOT MORE THAN 25 YEARS OLD.~~

22 ~~(B) QUALIFIED ORGANIZATIONS MAY NOT UNDERTAKE A PROJECT IF THE~~
 23 ~~PROJECT WOULD REPLACE REGULAR WORKERS OR DUPLICATE OR REPLACE AN~~
 24 ~~EXISTING SERVICE IN THE SAME LOCALITY.~~

25 ~~(C) A STIPEND VOLUNTEER:~~

26 ~~(1) MAY NOT RECEIVE A SALARY AS A STIPEND VOLUNTEER; BUT~~

27 ~~(2) MAY RECEIVE A STIPEND, AS DETERMINED BY THE TRUST, BASED~~
 28 ~~ON THE NEEDS OF THE STIPEND VOLUNTEER AND THE LIMITS OF BUDGETARY~~
 29 ~~APPROPRIATIONS.~~

30

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1 ~~(D) (1) A STIPEND VOLUNTEER MAY NOT PARTICIPATE IN ANY PARTISAN~~
2 ~~POLITICAL ACTIVITY WHILE ENGAGED IN THE PERFORMANCE OF DUTIES AS A~~
3 ~~STIPEND VOLUNTEER.~~

4 ~~(2) THIS PART IS EFFECTIVE ONLY TO THE EXTENT THAT IT DOES NOT~~
5 ~~CONFLICT WITH ANY FEDERAL OR STATE LAWS OR REGULATIONS RELATING TO~~
6 ~~PARTICIPATION IN PARTISAN POLITICAL ACTIVITIES.~~

7 ~~(3) A STIPEND VOLUNTEER MAY NOT PARTICIPATE IN ANY~~
8 ~~REGULATORY OR STATUTORY ENFORCEMENT ACTIVITIES WHILE ENGAGED IN THE~~
9 ~~PERFORMANCE OF DUTIES AS A MEMBER OF THE CORPS PROGRAM.~~

10 ~~§ 1933.~~

11 ~~(A) THE TRUST SHALL PROVIDE TECHNICAL ASSISTANCE TO QUALIFIED~~
12 ~~ORGANIZATIONS THAT REQUEST ASSISTANCE.~~

13 ~~(B) THE TRUST SHALL CONVENE MARYLAND CLIMATE JUSTICE CORPS~~
14 ~~PROGRAM PARTICIPANTS ON A REGULAR BASIS IN ORDER TO:~~

15 ~~(1) PROMOTE TEAM BUILDING AMONG THE PARTICIPANTS;~~

16 ~~(2) DEVELOP AN UNDERSTANDING OF THE OVERALL CORPS~~
17 ~~PROGRAM PURPOSE;~~

18 ~~(3) SHARE INFORMATION ABOUT BEST PRACTICES;~~

19 ~~(4) RECOGNIZE EXCELLENCE; AND~~

20 ~~(5) PROVIDE TRAINING AND OTHER LEARNING OPPORTUNITIES.~~

21 ~~(C) IN PROVIDING TRAINING AND TECHNICAL ASSISTANCE, THE TRUST MAY~~
22 ~~CONTRACT WITH AN ORGANIZATION WITH A PROVEN TRACK RECORD OF~~
23 ~~DEVELOPING AND SUSTAINING CORPS PROGRAMS, WORKING WITH THE~~
24 ~~CONSERVATION CORPS MODEL, AND ENGAGING YOUNG PEOPLE FROM~~
25 ~~DISADVANTAGED BACKGROUNDS.~~

26 ~~§ 1934.~~

27 ~~(A) THE CORPS PROGRAM'S PROJECTS AND ACTIVITIES SHALL MEET AN~~
28 ~~IDENTIFIABLE PUBLIC NEED WITHIN A COMMUNITY DISPROPORTIONATELY~~
29 ~~AFFECTED BY CLIMATE CHANGE, WITH SPECIFIC EMPHASIS ON PROJECTS THAT~~

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1 ~~RESULT IN LONG TERM REDUCTIONS TO GREENHOUSE GAS EMISSIONS AND~~
2 ~~IMPROVEMENTS TO PUBLIC HEALTH AND THE ENVIRONMENT.~~

3 ~~(b) CLIMATE MITIGATION PROJECTS MAY INCLUDE:~~

4 ~~(1) PROJECTS TO EXPAND URBAN TREE CANOPY, IMPLEMENT GREEN~~
5 ~~ROOFTOPS, AND TAKE OTHER ACTIONS TO REDUCE URBAN HEAT ISLAND EFFECTS;~~
6 ~~AND~~

7 ~~(2) PROJECTS TO IMPROVE ACCESS TO CLEAN, RELIABLE~~
8 ~~TRANSPORTATION, INCLUDING THROUGH THE EXPANSION OF BIKE TRAILS AND~~
9 ~~PEDESTRIAN WALKWAYS.~~

10 ~~(c) CLEAN ENERGY PROJECTS MAY INCLUDE:~~

11 ~~(1) PROJECTS TO INSTALL RENEWABLE ENERGY SYSTEMS AT~~
12 ~~LOW INCOME HOUSEHOLDS AND SCHOOLS, LIBRARIES, AND OTHER PUBLIC~~
13 ~~BUILDINGS; AND~~

14 ~~(2) PROJECTS TO UNDERTAKE HOLISTIC RETROFITS OF~~
15 ~~LOW INCOME HOUSEHOLDS, INCLUDING WEATHERIZATION AND HEAT PUMP~~
16 ~~INSTALLATION.~~

17 ~~§ 1935.~~

18 ~~THE TRUST AND THE CORPS BOARD SHALL SEEK FEDERAL FUNDS AND~~
19 ~~GRANTS AND DONATIONS FROM PRIVATE SOURCES TO BE MADE TO THE TRUST FOR~~
20 ~~THE PURPOSE OF LONG TERM FUNDING OF THE CORPS PROGRAM.~~

21 ~~§ 1936.~~

22 ~~COLLEGES AND UNIVERSITIES MAY:~~

23 ~~(1) CONTRACT WITH THE TRUST TO CARRY OUT CORPS PROGRAM~~
24 ~~WORK;~~

25 ~~(2) ASSIGN TO THE TRUST RESOURCES TO ASSIST IN ITS CORPS~~
26 ~~PROGRAM WORK, DEVELOPMENT, AND ACTIVITIES; AND~~

27 ~~(3) ASSIGN FACULTY AND STAFF TO THE TRUST FOR THE PURPOSE~~
28 ~~OF CARRYING OUT OR ASSISTING WITH CORPS PROGRAMS.~~

29 ~~§ 1937.~~

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1 ~~(A) IN DEVELOPING ITS PROGRAMS AND SEEKING FEDERAL AND STATE~~
 2 ~~GRANTS, THE TRUST AND THE CORPS BOARD SHALL:~~

3 ~~(1) COORDINATE ALL EFFORTS WITH THE MARYLAND~~
 4 ~~CONSERVATION CORPS ESTABLISHED IN TITLE 5, SUBTITLE 2 OF THIS ARTICLE TO~~
 5 ~~ENGAGE YOUNG ADULTS IN CONSERVATION SERVICE PROJECTS;~~

6 ~~(2) COORDINATE ALL EFFORTS WITH THE CIVIC JUSTICE CORPS, AN~~
 7 ~~ADJUNCT PROGRAM OF THE MARYLAND CONSERVATION CORPS, TO ENGAGE YOUTH~~
 8 ~~IN CONSERVATION SERVICE PROJECTS; AND~~

9 ~~(3) SEEK ASSISTANCE AND ADVICE FROM RELEVANT PUBLIC AND~~
 10 ~~PRIVATE SOURCES.~~

11 ~~(B) IN DEVELOPING CLEAN ENERGY INFRASTRUCTURE AND EDUCATIONAL~~
 12 ~~PROGRAMS, THE TRUST AND THE CORPS BOARD SHALL SEEK ASSISTANCE FROM~~
 13 ~~AND COOPERATE WITH THE MARYLAND CLEAN ENERGY CENTER UNDER TITLE 10,~~
 14 ~~SUBTITLE 8 OF THE ECONOMIC DEVELOPMENT ARTICLE.~~

15 ~~(C) IN DEVELOPING ITS VOLUNTEER PROGRAMS, THE TRUST AND THE~~
 16 ~~CORPS BOARD SHALL SEEK ASSISTANCE FROM AND COOPERATE WITH:~~

17 ~~(1) THE MARYLAND SERVICE CORPS AND THE GOVERNOR'S OFFICE~~
 18 ~~ON SERVICE AND VOLUNTEERISM UNDER TITLE 9.5, SUBTITLE 2 OF THE STATE~~
 19 ~~GOVERNMENT ARTICLE;~~

20 ~~(2) THE DEPARTMENT OF COMMERCE AND OTHER APPROPRIATE~~
 21 ~~UNITS OF STATE GOVERNMENT AND PRIVATE SECTOR ENTITIES TO DEVELOP~~
 22 ~~OPPORTUNITIES FOR STUDENT PARTICIPATION IN PRIVATE SECTOR ACTIVITIES,~~
 23 ~~SUCH AS INTERNSHIP AND EXTERNSHIP PROGRAMS; AND~~

24 ~~(3) MORGAN STATE UNIVERSITY AND OTHER INSTITUTIONS OF~~
 25 ~~HIGHER EDUCATION IN THE STATE, TO DEVELOP OPPORTUNITIES FOR COURSE~~
 26 ~~CREDIT ARRANGEMENTS THROUGH WHICH STUDENTS MAY EARN COURSE CREDITS~~
 27 ~~FOR PARTICIPATION IN CORPS PROGRAMS AS AN ALTERNATIVE TO OR IN ADDITION~~
 28 ~~TO PAYMENT OF A STIPEND.~~

29 ~~§ 1038.~~

30 ~~(A) ON OR BEFORE OCTOBER 1 EACH YEAR, THE TRUST, IN CONSULTATION~~
 31 ~~WITH THE CORPS BOARD SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE~~
 32 ~~WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.~~

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1 ~~(b) THE REPORT SHALL INCLUDE A COMPLETE OPERATING AND FINANCIAL~~
2 ~~STATEMENT COVERING THE OPERATIONS OF THE CORPS BOARD AND A SUMMARY~~
3 ~~OF THE ACTIVITIES OF THE CORPS BOARD DURING THE PRECEDING FISCAL YEAR.~~

4 Article - Public Safety

5 12-501.

6 (a) In this subtitle the following words have the meanings indicated.

7 (b) "Building" has the meaning stated in the International Building Code.

8 (c) "Department" means the Maryland Department of Labor.

9 (d) (1) "International Building Code" means the first printing of the most
10 recent edition of the International Building Code issued by the International Code Council.11 (2) "International Building Code" does not include interim amendments or
12 subsequent printings of the most recent edition of the International Building Code.13 (e) (1) "International Energy Conservation Code" means the first printing of
14 the most recent edition of the International Energy Conservation Code issued by the
15 International Code Council.16 (2) "International Energy Conservation Code" does not include interim
17 amendments or subsequent printings of the most recent edition of the International Energy
18 Conservation Code.19 (f) (1) "International Green Construction Code" means the first printing of the
20 most recent edition of the International Green Construction Code issued by the
21 International Code Council.22 (2) "International Green Construction Code" does not include interim
23 amendments or subsequent printings of the most recent edition of the International Green
24 Construction Code.25 (g) "Local jurisdiction" means the county or municipal corporation that is
26 responsible for implementation and enforcement of the Standards under this subtitle.

27 (h) "Standards" means the Maryland Building Performance Standards.

28 (i) "Structure" has the meaning stated in the International Building Code.

29 12-503.

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1 (a) (1) The Department shall adopt by regulation, as the Maryland Building
 2 Performance Standards, the International Building Code, including the International
 3 Energy Conservation Code, with the modifications incorporated by the Department under
 4 subsection (b) of this section.

5 (2) The Department shall adopt each subsequent version of the Standards
 6 within 18 months after it is issued.

7 (b) (1) Before adopting each version of the Standards, the Department shall:

8 (i) review the International Building Code to determine whether
 9 modifications should be incorporated in the Standards;

10 (ii) consider changes to the International Building Code to enhance
 11 energy conservation and efficiency;

12 (iii) subject to the provisions of paragraph (2)(ii) of this subsection,
 13 adopt modifications to the Standards that allow any innovative approach, design,
 14 equipment, or method of construction that can be demonstrated to offer performance that
 15 is at least the equivalent to the requirements of:

16 1. the International Energy Conservation Code;

17 2. Chapter 13, "Energy Efficiency", of the International
 18 Building Code; or

19 3. Chapter 11, "Energy Efficiency", of the International
 20 Residential Code;

21 (iv) accept written comments;

22 (v) consider any comments received; and

23 (vi) hold a public hearing on each proposed modification.

24 (2) (i) Except as provided in subparagraph (ii) of this paragraph and §
 25 12-510 of this subtitle, the Department may not adopt, as part of the Standards, a
 26 modification of a building code requirement that is more stringent than the requirement in
 27 the International Building Code.

28 (ii) The Department may adopt energy conservation requirements
 29 that are more stringent than the requirements in the International Energy Conservation
 30 Code, but may not adopt energy conservation requirements that are less stringent than the
 31 requirements in the International Energy Conservation Code.

32 ~~(2) (i) ON OR BEFORE JANUARY 1, 2023, THE DEPARTMENT SHALL~~
 33 ~~ADOPT, AS PART OF THE STANDARDS;~~

1 ~~1. SUBJECT TO SUBPARAGRAPH (H) OF THIS~~
 2 ~~PARAGRAPH, A REQUIREMENT THAT NEW BUILDINGS MEET ALL WATER AND SPACE~~
 3 ~~HEATING DEMAND WITHOUT THE USE OF FOSSIL FUELS; AND~~

4 ~~2. ELECTRIC READY STANDARDS TO ENSURE THAT NEW~~
 5 ~~BUILDINGS ARE READY FOR:~~

6 ~~A. THE INSTALLATION OF SOLAR ENERGY SYSTEMS;~~

7 ~~B. THE INSTALLATION OF ELECTRIC VEHICLE CHARGING~~
 8 ~~EQUIPMENT; AND~~

9 ~~C. BUILDING GRID INTERACTION.~~

10 ~~(H) 1. A LOCAL JURISDICTION MAY GRANT A VARIANCE~~
 11 ~~FROM THE REQUIREMENTS OF SUBPARAGRAPH (I)1 OF THIS PARAGRAPH FOR A~~
 12 ~~BUILDING ONLY IF THE LOCAL JURISDICTION DETERMINES, IN ACCORDANCE WITH~~
 13 ~~A COST EFFECTIVENESS TEST DEVELOPED BY THE DEPARTMENT, THAT THE~~
 14 ~~INCREMENTAL COST OF CONSTRUCTING THE BUILDING TO COMPLY WITH THE~~
 15 ~~REQUIREMENTS WOULD BE GREATER THAN THE SOCIAL COST OF THE GREENHOUSE~~
 16 ~~GASES THAT WOULD BE REDUCED BY COMPLYING WITH THE REQUIREMENTS.~~

17 ~~2. THE COST EFFECTIVENESS TEST DEVELOPED BY THE~~
 18 ~~DEPARTMENT UNDER THIS SUBPARAGRAPH SHALL:~~

19 ~~A. FOR THE PURPOSE OF CALCULATING THE SOCIAL~~
 20 ~~COST OF GREENHOUSE GASES, USE EITHER THE RATE ADOPTED BY THE~~
 21 ~~DEPARTMENT OF THE ENVIRONMENT OR THE RATE ADOPTED BY THE UNITED~~
 22 ~~STATES ENVIRONMENTAL PROTECTION AGENCY, WHICHEVER IS GREATER; AND~~

23 ~~B. ACCOUNT FOR PROJECTED UTILITY COST RATES AND~~
 24 ~~EMISSIONS RATES BASED ON THE MOST RECENT FINAL GREENHOUSE GAS~~
 25 ~~EMISSIONS REDUCTION PLAN ADOPTED UNDER § 2-1205 OF THE ENVIRONMENT~~
 26 ~~ARTICLE.~~

27 ~~3. A BUILDING THAT RECEIVES A VARIANCE IN~~
 28 ~~ACCORDANCE WITH THE COST EFFECTIVENESS TEST DEVELOPED UNDER THIS~~
 29 ~~SUBPARAGRAPH SHALL STILL BE REQUIRED TO COMPLY WITH ELECTRIC READY~~
 30 ~~STANDARDS ADOPTED UNDER SUBPARAGRAPH (I)2 OF THIS PARAGRAPH.~~

31 (c) The Standards apply to each building or structure in the State for which a
 32 building permit application is received by a local jurisdiction on or after August 1, 1995.

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1 (d) In addition to the Standards, the Department [may] SHALL:

2 (1) ON OR BEFORE JANUARY 1, 2023, adopt by regulation the 2018
3 International Green Construction Code; AND

4 (2) ADOPT EACH SUBSEQUENT VERSION OF THE CODE WITHIN 18
5 MONTHS AFTER IT IS ISSUED.

6 12-505.

7 (a) (1) (i) Each local jurisdiction shall implement and enforce the most
8 current version of the Standards and any local amendments to the Standards.

9 (ii) Any modification of the Standards adopted by the State after
10 December 31, 2009, shall be implemented and enforced by a local jurisdiction no later than
11 12 months after the modifications are adopted by the State.

12 **Article - Public Utilities**

13 7-211.

14 (g) (1) Except as provided in subsection (e) of this section, on or before
15 December 31, 2008, by regulation or order, the Commission shall:

16 (i) to the extent that the Commission determines that cost-effective
17 energy efficiency and conservation programs and services are available, for each affected
18 class, require each electric company to procure or provide for its electricity customers
19 cost-effective energy efficiency and conservation programs and services with projected and
20 verifiable electricity savings that are designed to achieve a targeted reduction of at least
21 5% by the end of 2011 and 10% by the end of 2015 of per capita electricity consumed in the
22 electric company's service territory during 2007; and

23 (ii) require each electric company to implement a cost-effective
24 demand response program in the electric company's service territory that is designed to
25 achieve a targeted reduction of at least 5% by the end of 2011, 10% by the end of 2013, and
26 15% by the end of 2015, in per capita peak demand of electricity consumed in the electric
27 company's service territory during 2007.

28 (2) (i) Except as provided in subsection (e) of this section, for the
29 duration of the [2018-2020 and] 2021-2023 AND 2024-2026 program cycles, by regulation
30 or order, the Commission shall, to the extent that the Commission determines that
31 cost-effective energy efficiency and conservation programs and services are available, for
32 each affected class, require each electric company to procure or provide for its electricity
33 customers cost-effective energy efficiency and conservation programs and services with
34 projected and verifiable electricity savings that are designed on a trajectory to achieve a
35 targeted annual incremental gross energy savings of at least [2.0% per year, calculated as

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1 a percentage of the electric company's 2016 weather-normalized gross retail sales and
 2 electricity losses] **THE FOLLOWING ANNUAL PERCENTAGES, CALCULATED AS A**
 3 **PERCENTAGE OF THE ELECTRIC COMPANY'S 2016 WEATHER-NORMALIZED GROSS**
 4 **RETAIL SALES AND ELECTRICITY LOSSES:**

- 5 **1. 2.25% PER YEAR IN 2024 AND 2025;**
- 6 **2. 2.5% IN 2026; AND**
- 7 **3. 2.75% PER YEAR IN 2027 AND THEREAFTER.**

8 (ii) The savings trajectory shall use the approved 2016 plans
 9 submitted under subsection (h)(2) of this section as a baseline for an incremental increase
 10 of a rate of .20% per year until the minimum [2.0% per year] savings rate **SPECIFIED IN**
 11 **SUBPARAGRAPH (I) OF THIS PARAGRAPH** is achieved.

12 (iii) The gross retail sales against which the savings are measured
 13 shall:

- 14 1. reflect sales associated with customer classes served by
 15 utility-administered programs only; and
- 16 2. be updated by the Commission for each plan submitted
 17 under subsection (h)(2) of this section.

18 (iv) The targeted annual incremental gross energy savings shall be
 19 achieved based on the 3-year average of an electric company's plan submitted under
 20 subsection (h)(2) of this section.

21 **Article - State Finance and Procurement**

22 3-602.1.

23 (a) (1) In this section the following words have the meanings indicated.

24 (2) "High performance building" means a building that:

25 (i) **1. ~~A~~ [meets or exceeds the current] ACHIEVES AT**
 26 **LEAST A SILVER RATING ACCORDING TO THE MOST RECENT** version of the U.S. Green
 27 Building Council's LEED (Leadership in Energy and Environmental Design) Green
 28 Building Rating System [Silver rating]; **OR**

29 **~~B~~ 2. IS A SCHOOL OR PUBLIC SAFETY BUILDING THAT**
 30 **ACHIEVES AT LEAST A CERTIFIED RATING ACCORDING TO THE MOST RECENT**
 31 **VERSION OF THE U.S. GREEN BUILDING COUNCIL'S LEED GREEN BUILDING**
 32 **RATING SYSTEM AND, BASED ON THE BUILDING'S LOCATION, ACHIEVES 5 POINTS**

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1 OR FEWER IN THE COMBINED CREDITS FOR ACCESS TO QUALITY TRANSIT AND
 2 SURROUNDING DENSITY AND DIVERSE USES;

3 ~~{(ii)}~~ ~~2.~~ Achieves at least a comparable numeric rating according
 4 to a nationally recognized, accepted, and appropriate numeric sustainable development
 5 rating system, guideline, or standard approved by the Secretaries of Budget and
 6 Management and General Services; or

7 ~~{(iii)}~~ ~~3.~~ Complies with a nationally recognized and accepted green
 8 building code, guideline, or standard reviewed and recommended by the Maryland Green
 9 Building Council and approved by the Secretaries of Budget and Management and General
 10 Services; ~~AND~~

11 ~~(H) 1. MEETS OR EXCEEDS THE CURRENT REQUIREMENTS~~
 12 ~~FOR CERTIFICATION UNDER THE U.S. GREEN BUILDING COUNCIL'S LEED~~
 13 ~~(LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN) ZERO ENERGY~~
 14 ~~PROGRAM; OR~~

15 ~~2. ACHIEVES A NET ZERO ENERGY BALANCE IN~~
 16 ~~ACCORDANCE WITH STANDARDS OR GUIDELINES RECOMMENDED BY THE~~
 17 ~~MARYLAND GREEN BUILDING COUNCIL AND APPROVED BY THE SECRETARY OF~~
 18 ~~BUDGET AND MANAGEMENT AND THE SECRETARY OF GENERAL SERVICES.~~

19 (3) "Major renovation" means the renovation of a building where:

20 (i) the building shell is to be reused for the new construction;

21 (ii) the heating, ventilating, and air conditioning (HVAC), electrical,
 22 and plumbing systems are to be replaced; and

23 (iii) the scope of the renovation is 7,500 square feet or greater.

24 (b) It is the intent of the General Assembly that, to the extent practicable:

25 (1) the State shall employ green building technologies when constructing
 26 or renovating a State building not subject to this section; and

27 (2) high performance buildings shall meet the criteria and standards
 28 established under the "High Performance Green Building Program" adopted by the
 29 Maryland Green Building Council.

30 (c) (1) This subsection applies to:

31 (i) capital projects [that are funded solely] FOR WHICH AT LEAST
 32 25% OF THE PROJECT COSTS ARE FUNDED with State funds; and

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1 (ii) community college capital projects that receive State funds.

2 (2) Except as provided in subsections (d) and (e) of this section, if a capital
3 project includes the construction or major renovation of a building that is 7,500 square feet
4 or greater, the building shall be constructed or renovated to be a high performance building.

5 (d) The following types of unoccupied buildings are not required to be constructed
6 or renovated to be high performance buildings:

7 (1) warehouse and storage facilities;

8 (2) garages;

9 (3) maintenance facilities;

10 (4) transmitter buildings;

11 (5) pumping stations; and

12 (6) other similar types of buildings, as determined by the Department.

13 (e) (1) The Department of Budget and Management and the Department of
14 General Services shall jointly establish a process to allow a unit of State government or a
15 community college to obtain a waiver from complying with subsection (c) of this section.

16 (2) The waiver process shall:

17 (i) include a review by the Maryland Green Building Council
18 established under § 4-809 of this article, to determine if the use of a high performance
19 building in a proposed capital project is not practicable; and

20 (ii) require the approval of a waiver by the Secretaries of Budget and
21 Management, General Services, and Transportation.

3-602.4.

(A) (1) THIS SECTION APPLIES ONLY TO:

(i) A CAPITAL PROJECT THAT IS FUNDED SOLELY WITH STATE FUNDS;

AND

**(ii) SUBJECT TO § 5-312 OF THE EDUCATION ARTICLE, AT LEAST ONE
PUBLIC SCHOOL CONSTRUCTION PROJECT IN EACH LOCAL SCHOOL SYSTEM FROM JULY 1, 2023,
THROUGH JUNE 30, 2033, INCLUSIVE.**

**(2) THIS SECTION DOES NOT APPLY TO UNOCCUPIED BUILDINGS THAT
ARE NOT REQUIRED TO BE CONSTRUCTED TO BE HIGH PERFORMANCE BUILDINGS UNDER §
3-602.1 OF THIS SUBTITLE.**

**(B) IN ADDITION TO MEETING THE HIGH PERFORMANCE BUILDING
REQUIREMENTS ESTABLISHED UNDER § 3-602.1 OF THIS SUBTITLE, IF A PROJECT DESCRIBED
IN SUBSECTION (A)(1) OF THIS SECTION INCLUDES THE CONSTRUCTION OF A BUILDING THAT IS
7,500 SQUARE FEET OR GREATER, THE BUILDING SHALL BE CONSTRUCTED TO:**

**(1) MEET OR EXCEED THE CURRENT REQUIREMENTS FOR CERTIFICATION
UNDER THE U.S. GREEN BUILDING COUNCIL'S LEED (LEADERSHIP IN ENERGY AND
ENVIRONMENTAL DESIGN) ZERO ENERGY PROGRAM; OR**

**(2) ACHIEVE A NET-ZERO ENERGY BALANCE IN ACCORDANCE WITH
STANDARDS OR GUIDELINES RECOMMENDED BY THE MARYLAND GREEN BUILDING COUNCIL
AND APPROVED BY THE SECRETARY OF BUDGET AND MANAGEMENT AND THE SECRETARY OF
GENERAL SERVICES.**

(C) (1) THE DEPARTMENT OF BUDGET AND MANAGEMENT AND THE DEPARTMENT OF GENERAL SERVICES SHALL JOINTLY ESTABLISH A PROCESS TO ALLOW A UNIT OF STATE GOVERNMENT TO OBTAIN A WAIVER FROM COMPLYING WITH SUBSECTION (B) OF THIS SECTION.

(2) THE WAIVER PROCESS SHALL:

(I) INCLUDE A REVIEW BY THE MARYLAND GREEN BUILDING COUNCIL ESTABLISHED UNDER § 4-809 OF THIS ARTICLE, TO DETERMINE IF THE USE OF A NET-ZERO ENERGY BUILDING IN A PROPOSED CAPITAL PROJECT IS NOT PRACTICABLE; AND

(II) REQUIRE THE APPROVAL OF A WAIVER BY THE SECRETARIES OF BUDGET AND MANAGEMENT, GENERAL SERVICES, AND TRANSPORTATION.

22 4-809.

23 (f) The Maryland Green Building Council shall:

24 (1) evaluate current high performance building technologies;

25 (2) provide recommendations concerning the most cost-effective green
26 building technologies that the State might consider requiring in the construction of State
27 facilities, including consideration of the additional cost associated with the various
28 technologies;

29 (3) provide recommendations concerning how to expand green building in
30 the State;

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1 (4) develop a list of building types for which green building technologies
 2 should not be applied, taking into consideration the operational aspects of facilities
 3 evaluated, and the utility of a waiver process where appropriate;

4 (5) establish a process for receiving public input; [and]

5 [(6) develop guidelines for new public school buildings to achieve the
 6 equivalent of the current version of the U.S. Green Building Council's LEED (Leadership
 7 in Energy and Environmental Design) Green Building Rating System Silver rating or a
 8 comparable rating system or building code as authorized in § 3-602.1 of this article without
 9 requiring an independent certification that the buildings have achieved the required
 10 standards.]

11 **(6) ENSURE THAT STATE BUILDINGS, PUBLIC SCHOOLS, AND**
 12 **COMMUNITY COLLEGES THAT ARE REQUIRED TO MEET THE HIGH PERFORMANCE**
 13 **BUILDING REQUIREMENTS UNDER § 3-602.1 OF THIS ARTICLE OR § 5-312 OF THE**
 14 **EDUCATION ARTICLE MEET THOSE REQUIREMENTS; AND**

15 **(7) DEVELOP GUIDELINES FOR EVALUATING THE ENERGY BALANCE**
 16 **AND ACHIEVING A NET-ZERO ENERGY BALANCE IN BUILDINGS SUBJECT TO §**
 17 **~~3-602.1~~ § 3-602.4 OF THIS ARTICLE.**

18 **4-810.**

19 **(A) IN THIS SECTION, "LOW-CARBON RENEWABLE ENERGY SOURCE"**
 20 **MEANS:**

21 **(1) SOLAR ENERGY, INCLUDING ENERGY FROM PHOTOVOLTAIC**
 22 **TECHNOLOGIES AND SOLAR WATER HEATING SYSTEMS;**

23 **(2) WIND;**

24 **(3) GEOTHERMAL, INCLUDING ENERGY GENERATED THROUGH**
 25 **GEOTHERMAL EXCHANGE FROM OR THERMAL ENERGY AVOIDED BY, GROUNDWATER**
 26 **OR A SHALLOW GROUND SOURCE;**

27 **(4) OCEAN, INCLUDING ENERGY FROM WAVES, TIDES, CURRENTS,**
 28 **AND THERMAL DIFFERENCES; AND**

29 **(5) HYDROELECTRIC POWER OTHER THAN PUMP STORAGE**
 30 **GENERATION.**

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1 **(B) ON OR BEFORE JANUARY 1, 2030, EACH PRIMARY PROCUREMENT UNIT**
 2 **SHALL ENSURE THAT AT LEAST 75% OF THE ELECTRICITY SUPPLY PROCURED BY**
 3 **THE UNIT FOR USE IN STATE FACILITIES IS DERIVED FROM LOW-CARBON**
 4 **RENEWABLE ENERGY SOURCES.**

5 6-226.

6 (a) (2) (i) Notwithstanding any other provision of law, and unless
 7 inconsistent with a federal law, grant agreement, or other federal requirement or with the
 8 terms of a gift or settlement agreement, net interest on all State money allocated by the
 9 State Treasurer under this section to special funds or accounts, and otherwise entitled to
 10 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
 11 Fund of the State.

12 (ii) The provisions of subparagraph (i) of this paragraph do not apply
 13 to the following funds:

14 144. the Health Equity Resource Community Reserve Fund;

15 [and]

16 145. the Access to Counsel in Evictions Special Fund;

17 **146. THE NET-ZERO SCHOOL GRANT FUND; AND**

18 **147. THE CLIMATE CATALYTIC CAPITAL FUND.**

19 14-418.

20 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
 21 **INDICATED.**

22 **(2) "HYBRID VEHICLE" MEANS AN AUTOMOBILE THAT CAN DRAW**
 23 **PROPULSION ENERGY FROM BOTH OF THE FOLLOWING SOURCES OF STORED**
 24 **ENERGY:**

25 **(I) GASOLINE OR DIESEL FUEL; AND**

26 **(II) A RECHARGEABLE ENERGY STORAGE SYSTEM.**

27 **(3) "LIGHT-DUTY VEHICLE" MEANS A VEHICLE WITH A GROSS**
 28 **WEIGHT OF 8,500 POUNDS OR LESS.**

29 **(4) "PASSENGER CAR" HAS THE MEANING STATED IN § 11-144.2 OF**
 30 **THE TRANSPORTATION ARTICLE.**

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1 (5) "ZERO-EMISSION VEHICLE" HAS THE MEANING STATED IN §
2 23-206.4 OF THE TRANSPORTATION ARTICLE.

3 (B) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT:

4 (1) PASSENGER CARS IN THE STATE VEHICLE FLEET BE
5 ZERO-EMISSION VEHICLES BY 2030; AND

6 (2) OTHER LIGHT-DUTY VEHICLES IN THE STATE VEHICLE FLEET BE
7 ZERO-EMISSION VEHICLES BY 2036.

8 (C) THIS SECTION DOES NOT APPLY TO THE PURCHASE OF VEHICLES:

9 (1) THAT HAVE SPECIAL PERFORMANCE REQUIREMENTS NECESSARY
10 FOR THE PROTECTION AND WELFARE OF THE PUBLIC; OR

11 (2) BY THE DEPARTMENT OF TRANSPORTATION OR THE MARYLAND
12 TRANSIT ADMINISTRATION THAT WILL BE USED TO PROVIDE PARATRANSIT
13 SERVICE.

14 (D) ~~SUBJECT TO THE AVAILABILITY OF FUNDING, THE~~ THE STATE SHALL
15 ENSURE THAT:

16 (1) (I) IN FISCAL YEAR 2023, AT LEAST 25% OF PASSENGER CARS
17 PURCHASED FOR THE STATE VEHICLE FLEET ARE ZERO-EMISSION VEHICLES;

18 (II) IN FISCAL YEARS 2024 AND 2025, AT LEAST 40% OF
19 PASSENGER CARS PURCHASED FOR THE STATE VEHICLE FLEET ARE
20 ZERO-EMISSION VEHICLES;

21 (III) IN FISCAL YEAR 2026, AT LEAST 75% OF PASSENGER CARS
22 PURCHASED FOR THE STATE VEHICLE FLEET ARE ZERO-EMISSION VEHICLES;

23 (IV) BEGINNING IN FISCAL YEAR 2027, 100% OF PASSENGER
24 CARS PURCHASED FOR THE STATE VEHICLE FLEET ARE ZERO-EMISSION VEHICLES;
25 AND

26 (V) BEGINNING IN FISCAL YEAR 2024, ANY PASSENGER CAR
27 PURCHASED FOR THE STATE VEHICLE FLEET THAT IS NOT A ZERO-EMISSION
28 VEHICLE IS A HYBRID VEHICLE; AND

29 (2) (I) IN FISCAL YEARS 2028 THROUGH 2030, INCLUSIVE, AT
30 LEAST 25% OF ALL OTHER LIGHT-DUTY VEHICLES PURCHASED FOR THE STATE
31 VEHICLE FLEET ARE ZERO-EMISSION VEHICLES;

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1 (II) IN FISCAL YEARS 2031 AND 2032, AT LEAST 50% OF ALL
2 OTHER LIGHT-DUTY VEHICLES PURCHASED FOR THE STATE VEHICLE FLEET ARE
3 ZERO-EMISSION VEHICLES; AND

4 (III) BEGINNING IN FISCAL YEAR 2033, 100% OF ALL OTHER
5 LIGHT-DUTY VEHICLES PURCHASED FOR THE STATE VEHICLE FLEET ARE
6 ZERO-EMISSION VEHICLES.

7 (E) THE DEPARTMENT SHALL ENSURE THE DEVELOPMENT OF CHARGING
8 INFRASTRUCTURE TO SUPPORT THE OPERATION OF ZERO-EMISSION VEHICLES IN
9 THE STATE VEHICLE FLEET.

10 (F) (1) ON OR BEFORE DECEMBER 1 EACH YEAR, THE CHIEF
11 PROCUREMENT OFFICER SHALL SUBMIT TO THE GENERAL ASSEMBLY, IN
12 ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, AN ANNUAL
13 REPORT THAT INCLUDES, FOR THE IMMEDIATELY PRECEDING FISCAL YEAR:

14 (I) THE TOTAL NUMBER OF PASSENGER CARS AND OTHER
15 LIGHT-DUTY VEHICLES PURCHASED BY EACH UNIT;

16 (II) THE NUMBER OF ZERO-EMISSION PASSENGER CARS AND
17 OTHER LIGHT-DUTY VEHICLES PURCHASED BY EACH UNIT;

18 (III) THE CURRENT PERCENTAGE OF PASSENGER CARS AND
19 OTHER LIGHT-DUTY VEHICLES IN THE STATE VEHICLE FLEET THAT ARE
20 ZERO-EMISSION VEHICLES;

21 (IV) ANY OPERATIONAL SAVINGS ASSOCIATED WITH THE
22 PURCHASE AND OPERATION OF ZERO-EMISSION VEHICLES; AND

23 (V) AN EVALUATION OF THE CHARGING INFRASTRUCTURE
24 THAT EXISTS TO SUPPORT THE OPERATION OF ZERO-EMISSION VEHICLES IN THE
25 STATE VEHICLE FLEET.

26 (2) EACH UNIT SHALL COOPERATE WITH THE CHIEF PROCUREMENT
27 OFFICER IN THE COLLECTION AND REPORTING OF THE INFORMATION REQUIRED
28 UNDER THIS SUBSECTION.

29 Article - State Government

30 9-2010.

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1 (A) IN THIS SECTION, "FUND" MEANS THE NET-ZERO SCHOOL GRANT
2 FUND.

3 (B) THERE IS A NET-ZERO SCHOOL GRANT FUND.

4 (C) THE PURPOSE OF THE FUND IS TO ASSIST LOCAL SCHOOL SYSTEMS TO
5 COVER THE COST DIFFERENCE BETWEEN MEETING THE BASIC HIGH PERFORMANCE
6 BUILDING REQUIREMENTS AND THE NET-ZERO ENERGY REQUIREMENTS UNDER §
7 3-602.1 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

8 (D) THE ADMINISTRATION SHALL ADMINISTER THE FUND.

9 (E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
10 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

11 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,
12 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

13 (F) THE FUND CONSISTS OF:

14 (1) ANY FEDERAL MONEY ALLOCATED TO THE STATE FOR THE
15 PURPOSE OF CONSTRUCTING NET-ZERO ENERGY SCHOOL BUILDINGS;

16 (2) MONEY ALLOCATED TO THE FUND IN THE STATE BUDGET; AND

17 (3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR
18 THE BENEFIT OF THE FUND.

19 (G) (1) THE FUND MAY BE USED ONLY FOR PROVIDING LOCAL SCHOOL
20 SYSTEMS WITH GRANTS OF UP TO \$3,000,000 TO COVER THE COST DIFFERENCE
21 BETWEEN MEETING THE HIGH PERFORMANCE BUILDING REQUIREMENTS ESTABLISHED UNDER § 3-602.1 OF THE
STATE

FINANCE AND PROCUREMENT ARTICLE AND THE
22 NET-ZERO ENERGY REQUIREMENTS UNDER ~~§ 3-602.1~~ 3-602.4 OF THE STATE FINANCE AND
23 PROCUREMENT ARTICLE.

24 (2) THE ADMINISTRATION SHALL DEVELOP GUIDELINES AND
25 REPORTING REQUIREMENTS FOR LOCAL SCHOOL SYSTEMS TO RECEIVE
26 GRANTS UNDER PARAGRAPH (1) OF THIS SUBSECTION.

27 (H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND
28 IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

29 (2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO
30 THE FUND.

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1 (I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE
2 WITH THE STATE BUDGET.

3 (J) MONEY EXPENDED FROM THE FUND IS SUPPLEMENTAL TO AND IS NOT
4 INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE
5 APPROPRIATED TO ASSIST LOCAL SCHOOL SYSTEMS WITH SCHOOL CONSTRUCTION
6 COSTS.

7 (K) FOR EACH FISCAL YEAR FROM FISCAL YEAR 2024 THROUGH 2032,
8 INCLUSIVE, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN
9 APPROPRIATION OF \$12,000,000 TO THE FUND.

10 9-2011.

11 (A) IN THIS SECTION, "HUB" MEANS THE CLIMATE TRANSITION AND CLEAN
12 ENERGY HUB.

13 (B) THERE IS A CLIMATE TRANSITION AND CLEAN ENERGY HUB IN THE
14 ADMINISTRATION.

15 (C) THE PURPOSE OF THE HUB IS TO SERVE AS A CLEARINGHOUSE FOR
16 INFORMATION ON ADVANCED TECHNOLOGY AND ARCHITECTURAL SOLUTIONS TO
17 REDUCE GREENHOUSE GAS EMISSIONS FROM THE BUILDING SECTOR.

18 (D) THE HUB SHALL PROVIDE TECHNICAL ASSISTANCE TO PUBLIC AND
19 PRIVATE ENTITIES TO ACHIEVE GREENHOUSE GAS EMISSIONS REDUCTIONS AND
20 COMPLY WITH STATE AND LOCAL ENERGY EFFICIENCY AND ELECTRIFICATION
21 REQUIREMENTS, INCLUDING:

22 (1) NET-ZERO ENERGY REQUIREMENTS FOR PUBLIC SCHOOL
23 BUILDINGS ESTABLISHED UNDER § 5-312 OF THE EDUCATION ARTICLE;

24 (2) BUILDING EMISSIONS STANDARDS FOR COVERED COMMERCIAL
25 AND MULTIFAMILY RESIDENTIAL BUILDINGS ESTABLISHED UNDER TITLE 2,
26 SUBTITLE 16 OF THE ENVIRONMENT ARTICLE;

27 (3) THE MARYLAND BUILDING PERFORMANCE STANDARDS AND
28 LOCAL AMENDMENTS TO THE STANDARDS ESTABLISHED UNDER TITLE 12,
29 SUBTITLE 5 OF THE PUBLIC SAFETY ARTICLE; AND

30 (4) HIGH PERFORMANCE BUILDING REQUIREMENTS FOR
31 STATE-FUNDED BUILDINGS ESTABLISHED UNDER § 3-602.1 OF THE STATE
32 FINANCE AND PROCUREMENT ARTICLE.

1 **Article - Tax - Property**

2 7-237.

3 (a) Except as provided in subsection (b) of this section, personal property is
4 exempt from property tax if the property is machinery or equipment used to generate:

- 5 (1) electricity or steam for sale; or
- 6 (2) hot or chilled water for sale that is used to heat or cool a building.

7 (b) Subject to § 7-514 of this title, ~~AND EXCEPT AS PROVIDED IN SUBSECTION~~
8 **(C) AND (D) OF THIS SECTION**, personal property that is machinery or equipment described
9 in subsection (a) of this section is subject to county or municipal corporation property tax on:

- 10 (1) 75% of its value for the taxable year beginning July 1, 2000; and
- 11 (2) 50% of its value for the taxable year beginning July 1, 2001 and each
12 subsequent taxable year.

13 **(C) PERSONAL PROPERTY IS EXEMPT FROM COUNTY OR MUNICIPAL**
14 **CORPORATION PROPERTY TAX IF THE PROPERTY IS MACHINERY OR EQUIPMENT**
15 **THAT:**

- 16 **(1) IS INSTALLED ON ROOFTOPS, PARKING LOTS, ROADWAYS, OR**
17 **BROWNFIELDS SITES; AND**
- 18 **(2) IS PART OF A COMMUNITY SOLAR ENERGY GENERATING SYSTEM,**
19 **AS DEFINED IN § 7-306.2 OF THE PUBLIC UTILITIES ARTICLE, THAT SERVES MORE**
20 **THAN 51% OF KILOWATT-HOUR OUTPUT TO LOW- OR MODERATE-INCOME**
21 **CUSTOMERS, AS DEFINED IN REGULATIONS OF THE PUBLIC SERVICE COMMISSION.**

(D) IN ADDITION TO THE EXEMPTION PROVIDED UNDER SUBSECTION (C) OF THIS SECTION, THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY EXEMPT, BY LAW, ANY OTHER MACHINERY OR EQUIPMENT THAT IS PART OF SOLAR ENERGY GENERATING SYSTEM, WIND ENERGY SYSTEM, OR GEOTHERMAL ENERGY SYSTEM FROM THE COUNTY OR MUNICIPAL CORPORATION PROPERTY TAX.

22 SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
23 as follows:

24 **Article - Environment**

25 **2-1602.**

26 **(A) THE DEPARTMENT SHALL DEVELOP BUILDING ~~EMISSIONS~~ ENERGY PERFORMANCE**
27 **STANDARDS**
27 **THAT ACHIEVE:**

- 28 **(1) FOR COVERED BUILDINGS OWNED BY THE STATE:**

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1 (I) A 50% REDUCTION IN NET DIRECT GREENHOUSE GAS EMISSIONS ON
2 OR BEFORE JANUARY 1, 2030 ,AS COMPARED WITH 2025 LEVELS FOR AVERAGE BUILDINGS OF SIMILAR
3 CONSTRUCTION; AND

3 (II) NET-ZERO DIRECT GREENHOUSE GAS EMISSIONS ON OR BEFORE
4 JANUARY 1, 2035; AND

5 (2) FOR COVERED BUILDINGS NOT OWNED BY THE STATE:

6 (I) ~~A 20% REDUCTION IN NET GREENHOUSE GAS EMISSIONS ON~~
7 ~~OR BEFORE JANUARY 1, 2030;~~

8 ~~(II) A 40% REDUCTION OF AT LEAST 30% IN NET DIRECT~~
9 ~~GREENHOUSE GAS EMISSIONS ON~~
10 ~~OR BEFORE JANUARY 1, 2035 ,AS COMPARED WITH 2025 LEVELS FOR AVERAGE BUILDINGS OF SIMILAR~~
11 ~~CONSTRUCTION; AND~~

10 (III) NET-ZERO DIRECT GREENHOUSE GAS EMISSIONS ON OR BEFORE JANUARY 1,
11 2040.

11 (B) (1) TO FACILITATE THE DEVELOPMENT OF BUILDING ~~EMISSIONS~~ ENERGY
12 PERFORMANCE
13 STANDARDS UNDER THIS SECTION, THE DEPARTMENT SHALL REQUIRE THE
14 OWNERS OF COVERED BUILDINGS TO ~~MEASURE AND REPORT DIRECT EMISSIONS~~ USE THE ENERGY STAR PORTFOLIO
15 MANAGER OR ANOTHER BENCHMARKING TOOL DESIGNATED BY THE DEPARTMENT TO COLLECT AND REPORT
16 BENCHMARKING
17 DATA TO
18 THE DEPARTMENT ANNUALLY BEGINNING IN 2025.

15 (C) (1) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT
16 THIS SECTION.

17 (2) REGULATIONS ADOPTED UNDER THIS SECTION SHALL:

(I) SUBJECT TO ITEMS (II) AND (III) OF THIS PARAGRAPH, INCLUDE
ENERGY USE INTENSITY TARGETS BY BUILDING TYPE;

(II) AS NECESSARY, INCLUDE SPECIAL PROVISIONS OR EXCEPTIONS
TO ACCOUNT FOR:

1. BUILDING AGE;

2. REGIONAL DIFFERENCES;

3. THE UNIQUE NEEDS OF PARTICULAR BUILDING OR OCCUPANCY
TYPES, INCLUDING HEALTH CARE FACILITIES AND LABORATORIES; AND

4. THE USE OF DISTRICT ENERGY SYSTEMS BY COVERED
BUILDINGS;

(III) ACCOUNT FOR THE NEEDS OF THE OWNERS OF COVERED
BUILDINGS WHO:

1. ARE NOT RESPONSIBLE FOR THE DESIGN, MODIFICATION,
FIXTURES, OR EQUIPMENT OF COMMERCIAL TENANTS;

2. DO NOT HAVE ACCESS TO OR CONTROL OVER BUILDING ENERGY
SYSTEMS THAT ARE USED OR CONTROLLED BY COMMERCIAL TENANTS; OR

3. OWN BUILDINGS OCCUPIED BY COMMERCIAL TENANTS WHO
ARE RESPONSIBLE FOR ALL MAINTENANCE OF AND REPAIRS TO THE BUILDINGS;

18 ~~(H)~~ (IV) PROVIDE MAXIMUM FLEXIBILITY TO THE OWNERS OF
19 COVERED BUILDINGS TO COMPLY WITH BUILDING ~~EMISSIONS~~ ENERGY PERFORMANCE STANDARDS;

20 ~~(H)~~ (V) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION,
21 INCLUDE AN ALTERNATIVE COMPLIANCE PATHWAY ALLOWING THE OWNER OF A
22 COVERED BUILDING TO PAY A FEE FOR ~~BUILDING EMISSIONS THAT EXCEED THE~~
23 ~~BUILDING EMISSIONS STANDARDS~~ GREENHOUSE GAS EMISSIONS ATTRIBUTABLE TO THE BUILDING'S FAILURE
TO MEET ENERGY USE INTENSITY TARGETS SET BY THE DEPARTMENT; AND

24 ~~(H)~~ (VI) TO THE EXTENT AUTHORIZED BY LAW, INCLUDE FINANCIAL
25 INCENTIVES RECOMMENDED BY THE BUILDING ENERGY TRANSITION
26 IMPLEMENTATION TASK FORCE.

27 (3) THE DEPARTMENT MAY NOT SET AN ALTERNATIVE COMPLIANCE
28 FEE THAT IS LESS THAN THE SOCIAL COST OF GREENHOUSE GASES ADOPTED BY THE
29 DEPARTMENT OR THE U.S. ENVIRONMENTAL PROTECTION AGENCY.

(D) ELECTRIC COMPANIES AND GAS COMPANIES SHALL PROVIDE ENERGY
DATA, INCLUDING WHOLE-BUILDING AND AGGREGATE DATA, TO THE OWNERS OF COVERED
BUILDINGS FOR BENCHMARKING PURPOSES.

(E) (1) A COUNTY MAY DEVELOP AND ADOPT LOCAL BUILDING
ENERGY PERFORMANCE STANDARDS THAT ARE AT LEAST AS STRINGENT AS THE STANDARDS
DEVELOPED BY THE DEPARTMENT, IF THE COUNTY'S STANDARDS ARE APPROVED BY THE
DEPARTMENT.

(2) COVERED BUILDINGS LOCATED IN A COUNTY THAT ADOPTS LOCAL
BUILDING ENERGY PERFORMANCE STANDARDS IN ACCORDANCE WITH THIS SUBSECTION SHALL
BE EXEMPT FROM THE STATEWIDE STANDARDS DEVELOPED BY THE DEPARTMENT.

30 SECTION 6. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
31 as follows:

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1 Article - Environment

2 2-1602.

3 (A) THE DEPARTMENT SHALL DEVELOP BUILDING ~~EMISSIONS~~ ENERGY PERFORMANCE
 4 STANDARDS
 4 THAT ACHIEVE:

5 (1) FOR COVERED BUILDINGS OWNED BY THE STATE:

6 (I) A 50% REDUCTION IN NET DIRECT GREENHOUSE GAS EMISSIONS ON
 7 OR BEFORE JANUARY 1, 2030, AS COMPARED WITH 2025 LEVELS FOR AVERAGE BUILDINGS OF SIMILAR
 8 CONSTRUCTION; AND

8 (II) NET-ZERO DIRECT GREENHOUSE GAS EMISSIONS ON OR BEFORE
 9 JANUARY 1, 2035; AND

10 (2) FOR COVERED BUILDINGS NOT OWNED BY THE STATE:

11 ~~(i) A 20% REDUCTION IN NET GREENHOUSE GAS EMISSIONS ON~~
 12 ~~OR BEFORE JANUARY 1, 2030; AND~~

13 ~~(ii) A 40% , A REDUCTION OF AT LEAST 30% IN NET~~
 14 DIRECT GREENHOUSE GAS EMISSIONS ON
 14 OR BEFORE JANUARY 1, 2035 , AS COMPARED WITH 2025 LEVELS FOR AVERAGE BUILDINGS OF SIMILAR
 15 CONSTRUCTION.

15 (B) TO FACILITATE THE DEVELOPMENT OF BUILDING ~~EMISSIONS~~ ENERGY PERFORMANCE
 16 STANDARDS UNDER THIS SECTION, THE DEPARTMENT SHALL REQUIRE THE
 17 OWNERS OF COVERED BUILDINGS TO ~~MEASURE AND REPORT~~ USE THE ENERGY STAR PORTFOLIO MANAGER OR
 18 ANOTHER BENCHMARKING TOOL DESIGNATED BY THE DEPARTMENT TO COLLECT AND REPORT BENCHMARKING DATA

DIRECT

EMISSIONS TO
 18 THE DEPARTMENT ANNUALLY BEGINNING IN 2025.

19 (C) (1) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT
 20 THIS SECTION.

21 (2) REGULATIONS ADOPTED UNDER THIS SECTION SHALL:

(I) SUBJECT TO ITEMS (II) AND (III) OF THIS PARAGRAPH, INCLUDE
ENERGY USE INTENSITY TARGETS BY BUILDING TYPE;

(II) AS NECESSARY, INCLUDE SPECIAL PROVISIONS OR EXCEPTIONS
TO ACCOUNT FOR:

1. BUILDING AGE;

2. REGIONAL DIFFERENCES;

3. THE UNIQUE NEEDS OF PARTICULAR BUILDING OR OCCUPANCY
TYPES, INCLUDING HEALTH CARE FACILITIES AND LABORATORIES; AND

4. THE USE OF DISTRICT ENERGY SYSTEMS BY COVERED
BUILDINGS;

(III) ACCOUNT FOR THE NEEDS OF THE OWNERS OF COVERED
BUILDINGS WHO:

1. ARE NOT RESPONSIBLE FOR THE DESIGN, MODIFICATION,

FIXTURES, OR EQUIPMENT OF COMMERCIAL TENANTS;

2. DO NOT HAVE ACCESS TO OR CONTROL OVER BUILDING ENERGY SYSTEMS THAT ARE USED OR CONTROLLED BY COMMERCIAL TENANTS; OR

3. OWN BUILDINGS OCCUPIED BY COMMERCIAL TENANTS WHO ARE RESPONSIBLE FOR ALL MAINTENANCE OF AND REPAIRS TO THE BUILDINGS;

22 ~~(iv)~~ (iv) PROVIDE MAXIMUM FLEXIBILITY TO THE OWNERS OF
23 COVERED BUILDINGS TO COMPLY WITH BUILDING ~~EMISSIONS~~ ENERGY PERFORMANCE STANDARDS;

24 ~~(v)~~ (v) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION,
25 INCLUDE AN ALTERNATIVE COMPLIANCE PATHWAY ALLOWING THE OWNER OF A
26 COVERED BUILDING TO PAY A FEE FOR ~~BUILDING EMISSIONS THAT EXCEED THE~~
27 ~~BUILDING EMISSIONS STANDARDS~~ GREENHOUSE GAS EMISSIONS ATTRIBUTABLE TO THE BUILDING'S FAILURE
TO MEET ENERGY USE INTENSITY TARGETS; AND

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1 ~~(H)~~ (VI) TO THE EXTENT AUTHORIZED BY LAW, INCLUDE FINANCIAL
 2 INCENTIVES RECOMMENDED BY THE BUILDING ENERGY TRANSITION
 3 IMPLEMENTATION TASK FORCE.

4 (3) THE DEPARTMENT MAY NOT SET AN ALTERNATIVE COMPLIANCE
 5 FEE THAT IS LESS THAN THE SOCIAL COST OF GREENHOUSE GASES ADOPTED BY THE
 6 DEPARTMENT OR THE U.S. ENVIRONMENTAL PROTECTION AGENCY.

(D) ELECTRIC COMPANIES AND GAS COMPANIES SHALL PROVIDE ENERGY
 DATA, INCLUDING WHOLE-BUILDING AND AGGREGATE DATA, TO THE OWNERS OF COVERED
 BUILDINGS FOR BENCHMARKING PURPOSES.

(E) (1) A COUNTY MAY DEVELOP AND ADOPT LOCAL BUILDING
 ENERGY PERFORMANCE STANDARDS THAT ARE AT LEAST AS STRINGENT AS THE STANDARDS
 DEVELOPED BY THE DEPARTMENT, IF THE COUNTY'S STANDARDS ARE APPROVED BY THE
 DEPARTMENT.

(2) COVERED BUILDINGS LOCATED IN A COUNTY THAT ADOPTS LOCAL
 BUILDING ENERGY PERFORMANCE STANDARDS IN ACCORDANCE WITH THIS SUBSECTION SHALL
 BE EXEMPT FROM THE STATEWIDE STANDARDS DEVELOPED BY THE DEPARTMENT.

7 SECTION 7. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
 8 as follows:

9 Article - Environment

10 2-1603.

11 (A) THERE IS A BUILDING ENERGY TRANSITION IMPLEMENTATION TASK
 12 FORCE.

13 (B) THE TASK FORCE CONSISTS OF THE FOLLOWING MEMBERS:

14 (1) THE SECRETARY, OR THE SECRETARY'S DESIGNEE;

15 (2) THE SECRETARY OF HOUSING AND COMMUNITY DEVELOPMENT,
 16 OR THE SECRETARY'S DESIGNEE;

17 (3) THE SECRETARY OF GENERAL SERVICES, OR THE SECRETARY'S
 18 DESIGNEE;

19 (4) THE DIRECTOR OF THE MARYLAND ENERGY ADMINISTRATION,
 20 OR THE DIRECTOR'S DESIGNEE;

21 (5) THE CHAIR OF THE PUBLIC SERVICE COMMISSION, OR THE
 22 CHAIR'S DESIGNEE;

23 (6) THE PEOPLE'S COUNSEL, OR THE PEOPLE'S COUNSEL'S
 24 DESIGNEE;

25 (7) THE EXECUTIVE DIRECTOR OF THE MARYLAND CLEAN ENERGY
 26 CENTER, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

27 (8) THE CHAIR OF THE MARYLAND GREEN BUILDING COUNCIL, OR
 28 THE CHAIR'S DESIGNEE;

29 (9) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE

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1 SPEAKER OF THE HOUSE;

2 (10) ONE MEMBER OF THE SENATE, APPOINTED BY THE PRESIDENT
3 OF THE SENATE; AND

4 (11) THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR:

5 (I) ONE REPRESENTATIVE FROM A NONPROFIT OR
6 PROFESSIONAL ORGANIZATION THAT ADVOCATES FOR ENERGY-EFFICIENT
7 BUILDINGS OR A LOW-CARBON-BUILT ENVIRONMENT;

8 (II) ONE REPRESENTATIVE FROM A BUSINESS THAT PROVIDES
9 ENERGY EFFICIENCY OR RENEWABLE ENERGY SERVICES TO LARGE BUILDINGS OR
10 AFFORDABLE HOUSING IN MARYLAND;

11 (III) ONE REPRESENTATIVE WHO IS AN ARCHITECT WITH
12 EXPERIENCE PLANNING MODIFICATIONS TO EXISTING BUILDINGS TO ACHIEVE
13 GREENHOUSE GAS EMISSIONS REDUCTIONS;

14 (IV) ONE REPRESENTATIVE WHO IS A MECHANICAL,
15 ELECTRICAL, OR PLUMBING ENGINEER OR COMMISSIONING AGENT WITH
16 EXPERIENCE IN MODIFYING OR REPLACING SYSTEMS IN ORDER TO ACHIEVE
17 GREENHOUSE GAS EMISSIONS REDUCTIONS;

18 (V) ONE REPRESENTATIVE OF THE APARTMENT AND OFFICE
19 BUILDING ASSOCIATION;

20 (VI) ONE REPRESENTATIVE WHO IS AN AFFORDABLE HOUSING
21 DEVELOPER;

22 (VII) ONE REPRESENTATIVE WHO IS A FACILITIES OR PROPERTY
23 MANAGER FOR AN APARTMENT BUILDING;

24 (VIII) ONE REPRESENTATIVE WHO IS A FACILITIES OR PROPERTY
25 MANAGER FOR A COMMERCIAL BUILDING;

26 (IX) ONE REPRESENTATIVE OF A FINANCIAL INSTITUTION; ~~AND~~

27 (X) ONE REPRESENTATIVE OF A PRIVATE EQUITY FIRM ; AND

(XI) ONE REPRESENTATIVE OF THE DISTRICT ENERGY
INDUSTRY.

28 (C) THE SECRETARY SHALL DESIGNATE THE CHAIR OF THE TASK FORCE.

29 (D) THE DEPARTMENT SHALL PROVIDE STAFF FOR THE TASK FORCE.

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1 (E) A MEMBER OF THE TASK FORCE:

2 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE TASK
3 FORCE; BUT

4 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
5 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

6 (F) (1) THE TASK FORCE SHALL:

7 (I) STUDY AND MAKE RECOMMENDATIONS REGARDING THE
8 DEVELOPMENT OF COMPLEMENTARY PROGRAMS, POLICIES, AND INCENTIVES
9 AIMED AT REDUCING GREENHOUSE GAS EMISSIONS FROM THE BUILDING SECTOR IN
10 ACCORDANCE WITH THIS SUBTITLE; ~~AND~~

11 (II) MAKE RECOMMENDATIONS ON TARGETING INCENTIVES TO ELECTRIFICATION PROJECTS THAT
WOULD NOT OTHERWISE RESULT IN STRONG RETURNS ON INVESTMENT FOR BUILDING OWNERS; AND

12 (III) DEVELOP A PLAN FOR FUNDING THE RETROFIT OF
13 COVERED BUILDINGS TO COMPLY WITH BUILDING EMISSIONS STANDARDS.

14 (2) THE PLAN DEVELOPED UNDER THIS SUBSECTION MAY INCLUDE
15 RECOMMENDATIONS RELATED TO:

16 (I) THE CREATION OF COMMERCIAL TAX CREDITS OR DIRECT
17 SUBSIDY PAYMENTS FOR BUILDING DECARBONIZATION PROJECTS;

18 (II) THE CREATION OF FINANCIAL INCENTIVES THROUGH
19 EMPower AND OTHER STATE PROGRAMS TO SUPPORT ALL ASPECTS OF THE
20 TRANSITION TO ELECTRIFIED BUILDINGS;

21 (III) THE ESTABLISHMENT OF LOW-INCOME HOUSEHOLD
22 HOLISTIC RETROFIT TARGETS AND HEAT PUMP SALES TARGETS; AND

23 (IV) THE USE OF OPTIONS SUCH AS ON-BILL, LOW-INTEREST
24 FINANCING TO SPREAD OUT THE UP-FRONT COSTS ASSOCIATED WITH
25 ELECTRIFICATION RETROFIT UPGRADES.

26 (G) ON OR BEFORE DECEMBER 1, 2023, THE TASK FORCE SHALL REPORT
27 ITS PLAN TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE
28 GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

SECTION 8. AND BE IT FURTHER ENACTED, That:

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1 (a) A Position Identification Number (PIN) shall be created in the Maryland
2 Energy Administration for the Coordinator of the Climate Transition and Clean Energy
3 Hub.

4 (b) It is the intent of the General Assembly that, with the exception of the new
5 Coordinator position and associated salary, the Maryland Energy Administration shall
6 handle the responsibilities of the Climate Transition and Clean Energy Hub with existing
7 resources.

8 **SECTION 9. AND BE IT FURTHER ENACTED, That:**

9 (a) Subject to subsection (b) of this section, it is the intent of the General Assembly
10 that the Public Service Commission continue with the submission of plans and making the
11 determinations required under Sections 2 and 3 of Chapters 14 and 780 of the Acts of the
12 General Assembly of 2017.

13 (b) The determination of the advisability of maintaining the methodology and
14 magnitude of the savings trajectory established in § 7-211(g)(2) of the Public Utilities
15 Article shall take into account the changes made in § 7-211(g)(2) of the Public Utilities
16 Article, as enacted by Section 4 of this Act.

SECTION 10. AND BE IT FURTHER ENACTED, That:

(a) In alignment with the Commission on Climate Change's recommendation to transition to an all-electric building code in the State:

(1) the General Assembly supports moving toward broader electrification of both existing buildings and new construction as a component of decarbonization; and

(2) it is the intent of the General Assembly that the State move toward broader electrification of both existing buildings and new construction on completion of the study required under subsection (b) of this section.

(b) (1) The Building Codes Administration shall:

(i) develop recommendations for an all-electric building code and building energy performance standards for the State, including appropriate exemptions for particular industries, local conditions, and sectors deemed critical infrastructure vital to the interest of national security as identified by the United State Department of Homeland Security's Cybersecurity and Infrastructure Security Agency;

(ii) develop recommendations for the fastest and most cost-efficient methods for decarbonizing buildings and other sectors in the State;

(iii) assess the availability of technology and equipment that will be needed to construct all-electric buildings in the State;

(iv) assess the impact of building electrification on workforce shortages;

(v) develop recommendations regarding efficient cost-effectiveness measures for the electrification of new and existing buildings; and

(vi) on or before January 1, 2023, report to the Public Service Commission on the projected annual and peak summer and winter gas and electric loading impacts of electrification, categorized by building type and size, in sufficient detail for gas and electric public service companies to develop the plans required under subsection (c)(1)(i) of this section.

(2) The Building Codes Administration may work with consultants and experts to complete the study required under paragraph (1) of this subsection.

(3) (i) On or before January 1, 2023, the Building Codes

Administration shall make an interim report of its findings to the Legislative Policy Committee in accordance with § 2-1257 of the State Government Article.

(ii) On or before September 1, 2023, the Building Codes Administration shall make a final report of its findings and recommendations to the Legislative Policy Committee in accordance with § 2-257 of the State Government Article.

(c) (1) The Public Service Commission shall:

(i) require gas and electric public service companies in the State to develop infrastructure plans to determine the investments necessary to accommodate the additional load of building electrification and the decommissioning of stranded gas facilities; and

(ii) determine whether the electric grid throughout the State is capable of accommodating the additional load of building electrification considering the infrastructure plans prepared under subparagraph (i) of this paragraph.

(2) (i) The Public Service Commission may work with consultants and experts to complete the study required under paragraph (1) of this subsection.

(ii) Gas and electric public service companies shall provide information to the Commission and its consultants and experts, as necessary, to complete the study required under paragraph (1) of this subsection.

(3) (i) On or before January 1, 2023, the Public Service Commission shall make an interim report of its findings, including the information compiled under to the Legislative Policy Committee in accordance with § 2-1257 of the State Government Article.

(2) On or before September 1, 2023, the Public Service Commission shall make a final report of its findings and recommendations to the Legislative Policy Committee in accordance with § 2-1257 of the State Government Article.

SECTION 11. AND BE IT FURTHER ENACTED, That on or before October 1, 2023, the Department of the Environment, in conjunction with the Department of General Services and the Department of Natural Resources, shall report to the General Assembly, in accordance with § 2-1257 of the State Government Article, on State properties that are suitable for use as organics recycling facilities in a manner that is consistent with Programmatic Recommendation 9 in the Final Report of the Yard Waste, Food Residuals, and Other Organic Materials Diversion and Infrastructure Study Group issued in July 2019, as required by Chapters 383 and 384 of the Acts of the General Assembly of 2017.

17 SECTION ~~10~~ 12. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall
18 take effect June 1, 2022. It shall remain effective for a period of 4 years and 1 month and,
19 at the end of June 30, 2026, Section 3 of this Act, with no further action required by the
20 General Assembly, shall be abrogated and of no further force and effect.

21 SECTION ~~11~~ 13. AND BE IT FURTHER ENACTED, That Section 5 of this Act shall
22 take effect June 1, 2022. It shall remain effective for a period of 7 years and 7 months and,
23 at the end of December 31, 2029, Section 5 of this Act shall be abrogated and of no further
24 force and effect.

25 SECTION ~~12~~ 14. AND BE IT FURTHER ENACTED, That Section 6 of this Act shall
26 take effect upon the taking effect of the termination provision specified in Section ~~11~~ 13 of this
27 Act.

28 SECTION ~~13~~ 15. AND BE IT FURTHER ENACTED, That Section 7 of this Act shall
29 take effect June 1, 2022. It shall remain effective for a period of 2 years and 1 month and,
30 at the end of June 30, 2024, Section 7 of this Act, with no further action required by the
31 General Assembly, shall be abrogated and of no further force and effect.

32 SECTION ~~14~~ 16. AND BE IT FURTHER ENACTED, That, except as provided in
33 Sections ~~10~~ 12 through ~~13~~ 15 of this Act, this Act shall take effect June 1, 2022.