

Chapter 423

(Senate Bill 258)

AN ACT concerning

**Department of General Services – State Buildings and Facilities – Energy
Conservation and Greenhouse Gas Emissions Reductions**

FOR the purpose of altering the State's goals for reducing energy consumption in State buildings; requiring the Maryland Green Building Council to update the High Performance Green Building Program to ensure that the Program aligns with certain greenhouse gas emissions reduction goals; requiring the Department of General Services to identify State-owned facilities that are potential candidates for energy performance contracts; altering requirements for certain energy audits, data collection processes, and requests for proposals to address greenhouse gas emissions from State facilities; requiring each unit of State government to implement projects and initiatives to conserve energy and reduce the unit's greenhouse gas emissions; and generally relating to the conservation of energy in, and reduction of greenhouse gas emissions from, State buildings and facilities.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 4–806
Annotated Code of Maryland
(2021 Replacement Volume and 2023 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – State Finance and Procurement

4–806.

(a) So that it can audit and evaluate competing design proposals, the Department shall set standards for energy performance indices.

(b) As experience develops on the energy performance achieved in State buildings, the energy performance indices will serve as a measure of building performance with respect to energy consumption.

(c) The Department, in cooperation with the Maryland Energy Administration, shall assist State agencies in reducing, by [2029] **2031**, the average energy consumption in State buildings by [10%] **20%** from the level in fiscal year 2018.

[(d) Each year, the Department shall:

(1) analyze all State-owned buildings to identify which buildings are the least energy-efficient; and

(2) conduct an energy audit of at least 2,000,000 square feet of the least energy-efficient State-owned buildings.

(e) The energy audit shall identify low-cost measures for increasing energy efficiency that, over the following 5 years, will result in energy cost savings that meet or exceed the costs of the measures.

(f) The Department shall provide a copy of the energy audit to the head of each unit of State government that occupies the spaces audited.

(g) Each unit of State government that occupies the space audited shall implement the measures identified in the energy audit to the fullest extent practicable.

(h) For 1 year following the implementation of the measures identified in the energy audit, the Department shall:

(1) monitor the unit's energy use;

(2) track any changes resulting from the measures; and

(3) calculate any savings on energy costs.

(i) (1) In this subsection, "Database" means the Comprehensive Utility Records Management Database.

(2) The Department shall establish and maintain the Comprehensive Utility Records Management Database for the purpose of tracking the changes in energy consumption resulting from the implementation of the measures identified in the energy audit.

(3) The Department shall collect the data and information necessary to fully populate, update, and maintain the Database.

(4) Each month, each unit of State government shall make available to the Department all available data about its facilities and copies of the unit's utility bills.

(j) Each unit of State government shall, in support of the unit's core missions, implement projects and initiatives to conserve energy and reduce energy consumption.

(k) The Department, the Maryland Energy Administration, the Department of Budget and Management, and the Department of Information Technology shall collaborate

on designing and implementing other cost-effective and energy-efficient savings initiatives.

(l) Beginning July 1, 2020, provisions promoting the State's energy efficiency goals shall be included in requests for proposals that:

- (1) are for the leasing of space to the State; and
- (2) would obligate the State to pay the utility bills for the leased space.

(m) Each fiscal year, with the advice and assistance of the Maryland Energy Administration, the Department shall report to the Governor on the State's progress toward achieving the goal of reducing energy consumption in State buildings by 10%.]

(D) ON OR BEFORE OCTOBER 1, 2024, THE MARYLAND GREEN BUILDING COUNCIL SHALL:

(1) UPDATE THE HIGH PERFORMANCE GREEN BUILDING PROGRAM AUTHORIZED UNDER § 3-602.1 OF THIS ARTICLE TO ENSURE THAT ALL NEW BUILDINGS AND MAJOR RENOVATIONS SUBJECT TO THE PROGRAM ALIGN WITH THE STATE'S GOAL OF ACHIEVING NET ZERO GREENHOUSE GAS EMISSIONS BY 2045; AND

(2) SUBMIT A COPY OF THE UPDATED PROGRAM TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

(E) (1) THE DEPARTMENT SHALL IDENTIFY STATE-OWNED FACILITIES THAT ARE POTENTIAL CANDIDATES FOR ENERGY SAVINGS PERFORMANCE CONTRACTS.

(2) STATE AGENCIES SHALL PROVIDE ON-SITE SUPPORT TO WORK WITH THE DEPARTMENT AT FACILITIES IDENTIFIED AS CANDIDATES FOR ENERGY SAVINGS PERFORMANCE CONTRACTS UNDER THIS SUBSECTION.

(F) (1) EACH YEAR, THE DEPARTMENT SHALL CONDUCT AN ENERGY AND GREENHOUSE GAS EMISSIONS AUDIT OF AT LEAST 2,000,000 SQUARE FEET OF STATE-OWNED BUILDINGS.

(2) THE AUDIT SHALL INCLUDE BEST PRACTICES AND IDENTIFY LOW-COST MEASURES FOR INCREASING ENERGY EFFICIENCY AND REDUCING GREENHOUSE GAS EMISSIONS.

(3) THE DEPARTMENT SHALL PROVIDE A COPY OF THE AUDIT TO THE HEAD OF EACH UNIT OF STATE GOVERNMENT THAT OCCUPIES THE SPACE AUDITED.

(4) (I) EACH UNIT OF STATE GOVERNMENT THAT OCCUPIES THE SPACE AUDITED SHALL, TO THE FULLEST EXTENT PRACTICABLE, IMPLEMENT THE MEASURES IDENTIFIED IN THE AUDIT.

(II) FOR 1 YEAR FOLLOWING THE IMPLEMENTATION OF THE MEASURES IDENTIFIED IN THE AUDIT, THE DEPARTMENT SHALL:

1. MONITOR THE UNIT’S ENERGY USE AND GREENHOUSE GAS EMISSIONS;

2. TRACK ANY CHANGES RESULTING FROM THE MEASURES; AND

3. CALCULATE ANY ENERGY COST SAVINGS AND EMISSIONS REDUCTIONS RESULTING FROM THE MEASURES.

(G) (1) IN THIS SUBSECTION, “DATABASE” MEANS THE COMPREHENSIVE UTILITY RECORDS MANAGEMENT DATABASE.

(2) THE DEPARTMENT SHALL RECORD REDUCTIONS IN ENERGY CONSUMPTION AND GREENHOUSE GAS EMISSIONS RESULTING FROM THE ENERGY–SAVINGS MEASURES IN THE DATABASE.

(3) EACH MONTH OR ON REQUEST BY THE DEPARTMENT, EACH UNIT OF STATE GOVERNMENT SHALL PROVIDE THE DEPARTMENT WITH ACCESS TO AVAILABLE DATA ABOUT THE UNIT’S FACILITIES AND COPIES OF THE UNIT’S UTILITY BILLS.

(4) THE DEPARTMENT SHALL REPORT TO THE GOVERNOR ANNUALLY ON EACH UNIT’S DATA COMPLIANCE.

(5) THE DEPARTMENT SHALL USE THE FACILITY DATA AND UTILITY BILL INFORMATION PROVIDED UNDER THIS SUBSECTION TO FULLY POPULATE, UPDATE, AND MAINTAIN THE DATABASE.

(H) EACH UNIT OF STATE GOVERNMENT SHALL, IN SUPPORT OF THE UNIT’S CORE MISSIONS, IMPLEMENT PROJECTS AND INITIATIVES TO CONSERVE ENERGY AND REDUCE THE UNIT’S GREENHOUSE GAS EMISSIONS.

(I) PROVISIONS PROMOTING THE STATE’S ENERGY EFFICIENCY AND GREENHOUSE GAS EMISSIONS REDUCTION GOALS SHALL BE INCLUDED IN EACH REQUEST FOR PROPOSALS THAT:

(1) IS FOR THE LEASING OF SPACE TO THE STATE; AND

(2) WOULD OBLIGATE THE STATE TO PAY THE UTILITY BILLS FOR THE LEASED SPACE.

(J) EACH FISCAL YEAR, THE DEPARTMENT SHALL REPORT TO THE GOVERNOR ON THE STATE'S PROGRESS TOWARD ACHIEVING THE GOAL OF REDUCING ENERGY CONSUMPTION IN STATE BUILDINGS BY 20%.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2024.

Approved by the Governor, May 9, 2024.