

HOUSE BILL 637

L5

3lr0394

By: **Montgomery County Delegation and Prince George's County Delegation**
Introduced and read first time: February 1, 2013
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland–National Capital Park and Planning Commission – High**
3 **Performance Buildings**

4 **MC/PG 101–13**

5 FOR the purpose of requiring certain buildings owned by the Maryland–National
6 Capital Park and Planning Commission to be high performance buildings under
7 certain circumstances; exempting certain building types from certain high
8 performance building standards; authorizing the Commission to request a
9 certain waiver from certain high performance building standards from a certain
10 county; authorizing a certain county council, with approval of the county
11 executive, to issue a certain waiver under certain circumstances; expressing a
12 certain intent of the General Assembly; defining certain terms; and generally
13 relating to the Maryland–National Capital Park and Planning Commission and
14 high performance buildings.

15 BY adding to
16 Article – Land Use
17 Section 17–214
18 Annotated Code of Maryland
19 (2012 Volume)

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

22 **Article – Land Use**

23 **17–214.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **(2) “HIGH PERFORMANCE BUILDING” MEANS A BUILDING THAT:**

4 **(I) MEETS OR EXCEEDS THE CURRENT VERSION OF THE**
5 **U.S. GREEN BUILDING COUNCIL’S LEADERSHIP IN ENERGY AND**
6 **ENVIRONMENTAL DESIGN (LEED) GREEN BUILDING RATING SYSTEM SILVER**
7 **RATING; OR**

8 **(II) ACHIEVES AT LEAST A COMPARABLE NUMERIC RATING**
9 **ACCORDING TO A NATIONALLY RECOGNIZED, ACCEPTED, AND APPROPRIATE**
10 **NUMERIC SUSTAINABLE DEVELOPMENT RATING SYSTEM, GUIDELINE, OR**
11 **STANDARD APPROVED BY THE SECRETARY OF BUDGET AND MANAGEMENT AND**
12 **THE SECRETARY OF GENERAL SERVICES.**

13 **(3) “MAJOR RENOVATION” MEANS THE RENOVATION OF A**
14 **BUILDING WHERE:**

15 **(I) THE BUILDING SHELL IS TO BE REUSED FOR THE NEW**
16 **CONSTRUCTION;**

17 **(II) THE HEATING, VENTILATING, AND AIR-CONDITIONING**
18 **(HVAC), ELECTRICAL, AND PLUMBING SYSTEMS ARE TO BE REPLACED; AND**

19 **(III) THE SCOPE OF THE RENOVATION IS 7,500 SQUARE FEET**
20 **OR GREATER.**

21 **(B) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT, TO THE**
22 **EXTENT PRACTICABLE:**

23 **(1) THE COMMISSION SHALL EMPLOY GREEN BUILDING**
24 **TECHNOLOGIES WHEN CONSTRUCTING OR RENOVATING A COMMISSION-OWNED**
25 **BUILDING NOT SUBJECT TO THIS SECTION; AND**

26 **(2) HIGH PERFORMANCE BUILDINGS SHALL MEET THE CRITERIA**
27 **AND STANDARDS ESTABLISHED UNDER THE “HIGH EFFICIENCY GREEN**
28 **BUILDING PROGRAM” ADOPTED BY THE MARYLAND GREEN BUILDING**
29 **COUNCIL.**

30 **(C) EXCEPT AS PROVIDED IN SUBSECTIONS (D) AND (E) OF THIS**
31 **SECTION, IF A CAPITAL PROJECT INCLUDES THE CONSTRUCTION OR MAJOR**
32 **RENOVATION OF A BUILDING THAT IS 7,500 SQUARE FEET OR GREATER, THE**

1 BUILDING SHALL BE CONSTRUCTED OR RENOVATED TO BE A HIGH
2 PERFORMANCE BUILDING.

3 (D) THE FOLLOWING TYPES OF UNOCCUPIED BUILDINGS ARE NOT
4 REQUIRED TO BE CONSTRUCTED OR RENOVATED TO BE HIGH PERFORMANCE
5 BUILDINGS:

6 (1) WAREHOUSE AND STORAGE FACILITIES;

7 (2) GARAGES;

8 (3) MAINTENANCE FACILITIES;

9 (4) TRANSMITTER BUILDINGS;

10 (5) PUMPING STATIONS; AND

11 (6) OTHER SIMILAR TYPES OF BUILDINGS, AS DETERMINED BY
12 THE COMMISSION.

13 (E) (1) THE COMMISSION MAY REQUEST FROM THE COUNTY WHERE
14 THE PROPOSED CAPITAL PROJECT IS LOCATED A WAIVER FROM COMPLYING
15 WITH SUBSECTION (C) OF THIS SECTION.

16 (2) ON RECEIPT OF A WRITTEN REQUEST OF A WAIVER UNDER
17 THIS SUBSECTION, WITH APPROVAL OF THE COUNTY EXECUTIVE, THE COUNTY
18 COUNCIL OF THE COUNTY WHERE THE PROPOSED CAPITAL PROJECT IS
19 LOCATED MAY ISSUE A WAIVER UNDER THIS SUBSECTION IF THE COUNTY
20 COUNCIL DETERMINES THAT THE USE OF A HIGH PERFORMANCE BUILDING IN A
21 PROPOSED CAPITAL PROJECT IS NOT PRACTICABLE.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2013.