

HOUSE BILL 207

P3

4lr0045

By: **Chair, Health and Government Operations Committee and Chair, Appropriations Committee (By Request – Departmental – General Services)**

Introduced and read first time: January 16, 2014

Assigned to: Health and Government Operations and Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2014

CHAPTER _____

1 AN ACT concerning

2 **State Capital Projects – High Performance Buildings – Maryland Green**
3 **Building Council**

4 FOR the purpose of altering the definition of a “high performance building” as it
5 applies to certain provisions of law relating to State capital projects; requiring
6 the Maryland Green Building Council to establish a process for receiving public
7 input; and generally relating to State capital projects for the construction and
8 renovation of high performance buildings and the Maryland Green Building
9 Council.

10 BY repealing and reenacting, with amendments,
11 Article – State Finance and Procurement
12 Section 3–602.1 and 4–809(f)
13 Annotated Code of Maryland
14 (2009 Replacement Volume and 2013 Supplement)

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

17 **Article – State Finance and Procurement**

18 3–602.1.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

2 (2) “High performance building” means a building that:

3 (i) meets or exceeds the current version of the U.S. Green
4 Building Council’s LEED (Leadership in Energy and Environmental Design) Green
5 Building Rating System Silver rating; [or]

6 (ii) achieves at least a comparable numeric rating according to a
7 nationally recognized, accepted, and appropriate numeric sustainable development
8 rating system, guideline, or standard approved by the Secretaries of Budget and
9 Management and General Services; **OR**

10 (iii) **COMPLIES WITH A NATIONALLY RECOGNIZED AND**
11 **ACCEPTED GREEN BUILDING CODE, GUIDELINE, OR STANDARD REVIEWED AND**
12 **RECOMMENDED BY THE MARYLAND GREEN BUILDING COUNCIL AND**
13 **APPROVED BY THE ~~SECRETARY~~ SECRETARIES OF BUDGET AND MANAGEMENT**
14 **AND ~~THE SECRETARY OF~~ GENERAL SERVICES.**

15 (3) “Major renovation” means the renovation of a building where:

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

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

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

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

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

23 (2) high performance buildings shall meet the criteria and standards
24 established under the “High Performance Green Building Program” adopted by the
25 Maryland Green Building Council.

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

27 (i) capital projects that are funded solely with State funds; and

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

29 (2) Except as provided in subsections (d) and (e) of this section, if a
30 capital project includes the construction or major renovation of a building that is 7,500

1 square feet or greater, the building shall be constructed or renovated to be a high
2 performance building.

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

5 (1) warehouse and storage facilities;

6 (2) garages;

7 (3) maintenance facilities;

8 (4) transmitter buildings;

9 (5) pumping stations; and

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

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

15 (2) The waiver process shall:

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

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

21 4–809.

22 (f) The Maryland Green Building Council shall:

23 (1) evaluate current high performance building technologies;

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

28 (3) provide recommendations concerning how to expand green building
29 in the State; [and]

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

4 **(5) ESTABLISH A PROCESS FOR RECEIVING PUBLIC INPUT.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2014.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.