

# HOUSE BILL 838

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CF 1lr1916

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By: **Delegate P. Young**

Introduced and read first time: January 29, 2021

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County – Public School Construction**  
3 **– LEED Green Building Rating System**

4 FOR the purpose of requiring a new school in Baltimore County that receives State public  
5 school construction funds to meet certain green building performance requirements;  
6 and generally relating to green building requirements for new public school  
7 construction in Baltimore County.

8 BY repealing and reenacting, with amendments,  
9 Article – Education  
10 Section 5–312  
11 Annotated Code of Maryland  
12 (2018 Replacement Volume and 2020 Supplement)

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

15 **Article – Education**

16 5–312.

17 (a) In this section, “high performance building” has the meaning stated in §  
18 3–602.1 of the State Finance and Procurement Article.

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

22 (c) **(1)** Except as provided in **PARAGRAPH (2) OF THIS SUBSECTION AND**  
23 subsection (d) of this section, a new school that receives State public school construction

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 funds shall be constructed to be a high performance building.

2           **(2) IN BALTIMORE COUNTY, A NEW SCHOOL THAT RECEIVES STATE**  
3 **PUBLIC SCHOOL CONSTRUCTION FUNDS SHALL BE CONSTRUCTED TO MEET OR**  
4 **EXCEED THE CURRENT VERSION OF THE U.S. GREEN BUILDING COUNCIL'S LEED**  
5 **(LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN) GREEN BUILDING**  
6 **RATING SYSTEM GOLD RATING.**

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

9           (2) The waiver process shall:

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

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

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

17           (f) The Interagency Commission shall adopt regulations to implement the  
18 requirements of this section.

19           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
20 1, 2021.