

SENATE BILL 258

P1, M5

(PRE-FILED)

4r0147
CF HB 130

By: **Chair, Education, Energy, and the Environment Committee (By Request – Departmental – General Services)**

Requested: September 18, 2023

Introduced and read first time: January 10, 2024

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

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

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

15 BY repealing and reenacting, with amendments,
16 Article – State Finance and Procurement
17 Section 4–806
18 Annotated Code of Maryland
19 (2021 Replacement Volume and 2023 Supplement)

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

22 **Article – State Finance and Procurement**

23 4–806.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

9 [(d) Each year, the Department shall:

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

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

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

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

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

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

23 (1) monitor the unit's energy use;

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

25 (3) calculate any savings on energy costs.

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

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

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

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

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

7 (k) The Department, the Maryland Energy Administration, the Department of
8 Budget and Management, and the Department of Information Technology shall collaborate
9 on designing and implementing other cost-effective and energy-efficient savings
10 initiatives.

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

13 (1) are for the leasing of space to the State; and

14 (2) would obligate the State to pay the utility bills for the leased space.

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

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

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

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

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

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

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

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

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

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

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

14 **1. MONITOR THE UNIT'S ENERGY USE AND GREENHOUSE**
15 **GAS EMISSIONS;**

16 **2. TRACK ANY CHANGES RESULTING FROM THE**
17 **MEASURES; AND**

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

20 **(G) (1) IN THIS SUBSECTION, "DATABASE" MEANS THE COMPREHENSIVE**
21 **UTILITY RECORDS MANAGEMENT DATABASE.**

22 **(2) THE DEPARTMENT SHALL RECORD REDUCTIONS IN ENERGY**
23 **CONSUMPTION AND GREENHOUSE GAS EMISSIONS RESULTING FROM THE**
24 **ENERGY-SAVINGS MEASURES IN THE DATABASE.**

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

29 **(4) THE DEPARTMENT SHALL REPORT TO THE GOVERNOR**
30 **ANNUALLY ON EACH UNIT'S DATA COMPLIANCE.**

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

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

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

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

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

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

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
17 1, 2024.