

HOUSE BILL 935

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2lr2820

By: **Delegate Stein**

Introduced and read first time: February 10, 2012

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 17, 2012

CHAPTER _____

1 AN ACT concerning

2 **Real Property – Commercial Buildings – Energy Usage**

3 FOR the purpose of requiring the landlord of a certain privately owned commercial
4 building to provide energy usage information to a certain prospective tenant
5 under certain circumstances; authorizing a landlord to refuse to provide energy
6 usage information for security reasons; providing that certain information is
7 provided without warranty of any kind; establishing a certain penalty;
8 providing for the application of this Act; providing for a delayed effective date;
9 and generally relating to the disclosure of utility costs for commercial buildings.

10 BY adding to

11 Article – Real Property

12 Section 8–801 through 8–803 to be under the new subtitle “Subtitle 8. Energy
13 Usage in Commercial Buildings”

14 Annotated Code of Maryland

15 (2010 Replacement Volume and 2011 Supplement)

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

18 **Article – Real Property**

19 **SUBTITLE 8. ENERGY USAGE IN COMMERCIAL BUILDINGS.**

20 **8–801.**

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 **THIS SUBTITLE APPLIES TO PRIVATELY OWNED COMMERCIAL BUILDINGS**
2 **IN THE STATE WITH AN INTERIOR SPACE OF MORE THAN 10,000 SQUARE FEET.**

3 **8-802.**

4 **(A) THE LANDLORD OF A COMMERCIAL BUILDING SHALL PROVIDE, ON**
5 **WRITTEN REQUEST, INFORMATION RELATED TO THE ENERGY USAGE OF A**
6 **COMMERCIAL BUILDING OR SPACE IN A COMMERCIAL BUILDING FOR RENT IF:**

7 **(1) THE REQUEST IS MADE BY A PROSPECTIVE TENANT WHO HAS**
8 **SIGNED A LETTER OF INTENT;**

9 **(2) THE LANDLORD HAS ACCESS TO THE ENERGY USAGE**
10 **INFORMATION ~~IS READILY AVAILABLE TO THE LANDLORD~~; AND**

11 **(3) THE INFORMATION IS RELEVANT TO THE PROPOSED USE OF**
12 **THE PREMISES.**

13 **(B) A LANDLORD MAY REFUSE TO PROVIDE ENERGY USAGE**
14 **INFORMATION UNDER SUBSECTION (A) OF THIS SECTION FOR SECURITY**
15 **REASONS.**

16 **(C) THE ENERGY USAGE INFORMATION PROVIDED UNDER SUBSECTION**
17 **(A) OF THIS SECTION IS PROVIDED WITHOUT WARRANTIES OR**
18 **REPRESENTATIONS OF ANY KIND, EITHER EXPRESS OR IMPLIED, INCLUDING AS**
19 **TO THE COMPLETENESS OR SUITABILITY OF THE INFORMATION FOR ANY**
20 **PURPOSE RELATED TO A PROSPECTIVE TENANT'S USE OF THE COMMERCIAL**
21 **BUILDING OR SPACE.**

22 **8-803.**

23 **A LANDLORD WHO VIOLATES THIS SUBTITLE IS SUBJECT TO A FINE NOT**
24 **EXCEEDING \$250.**

25 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
26 **January 1, 2013.**