

Chapter 247

(Senate Bill 179)

AN ACT concerning

Energy Performance Contracts – Duration

FOR the purpose of altering the maximum duration of an energy performance contract by a unit of State government.

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 12–301(a)

Annotated Code of Maryland

(2021 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 12–301(b)(1)

Annotated Code of Maryland

(2021 Replacement Volume)

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

Article – State Finance and Procurement

12–301.

(a) (1) (i) A unit shall consult with the Department of General Services during the development phase of a project that will require an energy performance contract.

(ii) Before issuing a request for proposals for an energy performance contract, a unit shall consult with the Department of General Services and the Chief Procurement Officer.

(2) The Department of General Services shall review the proposed request to ensure that it meets with the State energy standards and preserves the State’s flexibility to investigate and use economically justifiable new technologies.

(3) A unit pursuing an energy contract must receive final approval from the Department of General Services before submitting the proposed contract to the Board of Public Works for approval.

(b) (1) Notwithstanding any other provision of law and subject to the approval and control of the Board of Public Works and the Chief Procurement Officer, a unit of State

government is authorized to enter into energy performance contracts of up to **[15] 30** years' duration.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.

Approved by the Governor, May 12, 2022.