

HB0261/903825/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 261  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**and Fair**” and substitute “**Fair, Bagnall, Bhandari, Cullison, Guzzone, Hill, S. Johnson, Kaiser, R. Lewis, Lopez, Martinez, Pena–Melynk, Rosenberg, Taveras, White, and Woods**”; in line 2, strike “**Global Warming Potential of Materials**” and substitute “**Procurement of Construction Materials**”; in line 4, after “requiring” insert “**producers of eligible materials to submit certain declarations to**”; in the same line, after “Services” insert “**by a certain date; requiring the Department to assess and**”; in the same line, strike “to”; and in line 19, after “time;” insert “**establishing an Environmental Product Declaration Assistance Fund for a certain purpose;**”.

AMENDMENT NO. 2

On page 2, in line 8, strike “**MEANS A PUBLIC PROJECT AS DEFINED**” and substitute “**INCLUDES A CAPITAL PROJECT DESCRIBED**”; in line 9, strike “**3–602**” and substitute “**3–602.1(C)**”; in line 21, after “(A)” insert:

**“(1) ON OR BEFORE DECEMBER 31, 2024, PRODUCERS OF ELIGIBLE MATERIALS SHALL SUBMIT ENVIRONMENTAL PRODUCT DECLARATIONS TO THE DEPARTMENT.**

**“(2) THE DEPARTMENT SHALL ANALYZE ENVIRONMENTAL PRODUCT DECLARATIONS AND ASSESS GLOBAL WARMING POTENTIAL FOR ELIGIBLE MATERIALS USED IN AN ELIGIBLE PROJECT IN ACCORDANCE WITH THIS SECTION.**

**(B)**”;

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in the same line, strike “**2025**” and substitute “**2026**”; and in line 25, strike “**(B)**” and substitute “**(C)**”.

On page 3, in lines 9 and 19, strike “**(C)**” and “**(D)**”, respectively, and substitute “**(D)**” and “**(E)**”, respectively; and in line 20, strike “**2028**” and substitute “**2029**”.

On page 5, after line 14, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) (1) There is an Environmental Product Declaration Assistance Fund.

(2) The purpose of the Fund is to award grants to producers of eligible materials to support the development, standardization, and transparency of environmental product declarations for construction materials and products.

(b) The Department of Commerce shall administer the Fund.

(c) The Fund shall consist of money appropriated in the State budget to the Fund.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Green Building Council shall examine:

(1) the use of environmental product declarations to measure the climate impact of construction materials produced by the State, including glass, steel, and wood;

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(2) the use of performance incentives to encourage adoption of low-carbon materials and methods by manufacturers that provide construction materials for State-funded projects;

(3) the establishment of an expedited product evaluation, testing, and approval protocol for low-carbon products;

(4) the implementation of performance-based specification standards for construction materials, including requirements that a structural material achieve specified performance-based outcomes from the use of structural material, including outcomes related to strength, durability, permeability, or other attributes related to the function of building material for applied uses; and

(5) the use of methods of compliance, including specifications based on maximum potential for global warming.

(b) In examining the items under subsection (a) of this section, the Maryland Green Building Council shall consult with:

(1) any relevant associations that set industry standards for the procurement of low-carbon construction products; and

(2) affected contractors and subcontractors to consider both environmental and health and safety impacts.

(c) On or before September 1, 2024, the Maryland Green Building Council shall report its findings and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.”;

in line 15, strike “3.” and substitute “5.”; in line 16, strike “2025” and substitute “2026”; after line 16, insert:

(Over)

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“SECTION 6. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect July 1, 2023. It shall remain effective for a period of 1 year and 6 months and, at the end of December 31, 2024, Section 3 of this Act shall be abrogated and of no further force and effect.”;

in line 17, strike “4.” and substitute “7.”; and strike beginning with “Section” in line 17 down through “3” in line 18 and substitute “Sections 5 and 6”.