

HOUSE BILL 493

C8

3lr0783

By: **Delegates Ruth, Allen, Bagnall, Bartlett, Charkoudian, Edelson, Fair, Foley, Fraser-Hidalgo, Lehman, Lopez, McCaskill, Moon, Palakovich Carr, Pasteur, Simpson, Stewart, Terrasa, and Wells**

Introduced and read first time: January 30, 2023

Assigned to: Ways and Means and Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Commerce – Office of Climate Change Assistance for Small**
3 **Businesses – Establishment**

4 FOR the purpose of establishing the Office of Climate Change Assistance for Small
5 Businesses in the Department of Commerce; specifying the duties of the Office;
6 requiring the Office to report certain information to the Governor, the Secretary of
7 Commerce, and the General Assembly on or before a certain date; and generally
8 relating to the Office of Climate Change Assistance for Small Businesses.

9 BY repealing and reenacting, without amendments,
10 Article – Economic Development
11 Section 1–101(a), (c), and (e) and 10–801(a) and (c)
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2022 Supplement)

14 BY adding to
15 Article – Economic Development
16 Section 3–701 through 3–703 to be under the new subtitle “Subtitle 7. Office of
17 Climate Change Assistance for Small Businesses”
18 Annotated Code of Maryland
19 (2018 Replacement Volume and 2022 Supplement)

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

22 **Article – Economic Development**

23 1–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) In this division the following words have the meanings indicated.

2 (c) “Department” means the Department of Commerce.

3 (e) “Secretary” means the Secretary of Commerce.

4 **SUBTITLE 7. OFFICE OF CLIMATE CHANGE ASSISTANCE FOR SMALL BUSINESSES.**

5 **3–701.**

6 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
7 INDICATED.

8 (B) “ADVANCED CLEAN ENERGY” HAS THE MEANING STATED IN § 10–801 OF
9 THIS ARTICLE.

10 (C) “OFFICE” MEANS THE OFFICE OF CLIMATE CHANGE ASSISTANCE FOR
11 SMALL BUSINESSES.

12 (D) “SMALL BUSINESS” MEANS AN INDIVIDUAL, A PARTNERSHIP, A LIMITED
13 PARTNERSHIP, A LIMITED LIABILITY PARTNERSHIP, A LIMITED LIABILITY
14 COMPANY, OR A CORPORATION THAT EMPLOYS 50 OR FEWER TOTAL FULL–TIME
15 EMPLOYEES.

16 **3–702.**

17 (A) THERE IS AN OFFICE OF CLIMATE CHANGE ASSISTANCE FOR SMALL
18 BUSINESSES IN THE DEPARTMENT.

19 (B) (1) THE PURPOSE OF THE OFFICE IS TO ASSIST SMALL BUSINESSES
20 IN THE STATE WITH ISSUES RELATED TO CLIMATE CHANGE, INCLUDING:

21 (I) TRANSITIONING TO ADVANCED CLEAN ENERGY; AND

22 (II) DEVELOPING CLIMATE RESILIENCE STRATEGIES TO
23 ADDRESS THE IMPACTS OF CLIMATE CHANGE, INCLUDING:

24 1. FLOODING;

25 2. EXTREME HEAT;

26 3. STORM DAMAGE; AND

27 4. STORMWATER INTRUSION.

1 **(2) THE OFFICE SHALL COORDINATE WITH THE OFFICE OF**
2 **RESILIENCE IN THE MARYLAND DEPARTMENT OF EMERGENCY MANAGEMENT TO**
3 **IDENTIFY STRATEGIES AND BEST PRACTICES FOR BUSINESSES TO PREPARE FOR**
4 **AND RESPOND TO THE IMPACTS OF CLIMATE CHANGE.**

5 **(C) A SMALL BUSINESS MAY QUALIFY FOR ASSISTANCE FROM THE OFFICE**
6 **IF:**

7 **(1) THE BUSINESS MODEL OF THE SMALL BUSINESS:**

8 **(I) IS FOSSIL-FUEL-BASED OR CARBON-INTENSIVE; AND**

9 **(II) NEEDS TO BE ALTERED DUE TO A TRANSITION TO ADVANCED**
10 **CLEAN ENERGY; OR**

11 **(2) THE SMALL BUSINESS IS LOCATED IN A GEOGRAPHICAL AREA OR**
12 **IS PART OF AN INDUSTRY WHERE THE SMALL BUSINESS IS LIKELY TO BE IMPACTED**
13 **BY CLIMATE CHANGE.**

14 **(D) THE OFFICE SHALL ASSIST AND PROVIDE GUIDANCE TO SMALL**
15 **BUSINESSES WITH:**

16 **(1) IDENTIFYING AND APPLYING FOR FINANCIAL ASSISTANCE**
17 **PROGRAMS FROM THE FEDERAL GOVERNMENT, THE STATE, AND LOCAL**
18 **GOVERNMENTS, NONPROFIT ORGANIZATIONS, AND OTHER PUBLIC OR PRIVATE**
19 **SOURCES;**

20 **(2) IDENTIFYING BUSINESS MODELS AND TRANSITION PLANS TO**
21 **ADVANCED CLEAN ENERGY THAT HAVE BEEN SUCCESSFULLY IMPLEMENTED BY**
22 **OTHER SMALL BUSINESSES;**

23 **(3) WRITING NEW BUSINESS PLANS THAT ACCOUNT FOR A**
24 **TRANSITION TO ADVANCED CLEAN ENERGY; AND**

25 **(4) COMPLYING WITH FEDERAL, STATE, AND LOCAL LAWS,**
26 **REGULATIONS, AND REQUIREMENTS RELATING TO A TRANSITION TO ADVANCED**
27 **CLEAN ENERGY.**

28 **3-703.**

29 **ON REQUEST, THE OFFICE SHALL ADVISE THE GOVERNOR, THE SECRETARY,**
30 **AND THE GENERAL ASSEMBLY ON MATTERS RELATING TO THE IMPACT OF CLIMATE**

1 **CHANGE ON SMALL BUSINESSES AND THE EFFECT OF A TRANSITION TO ADVANCED**
2 **CLEAN ENERGY ON SMALL BUSINESSES IN THE STATE.**

3 10–801.

4 (a) In this subtitle the following words have the meanings indicated.

5 (c) “Advanced clean energy” includes:

6 (1) solar photovoltaic technology;

7 (2) solar heating;

8 (3) geothermal;

9 (4) wind;

10 (5) biofuels;

11 (6) ethanol;

12 (7) renewable chemical production;

13 (8) other qualifying biomass as defined in § 7–701 of the Public Utilities
14 Article;

15 (9) ocean, including energy from waves, tides, currents, and thermal
16 differences;

17 (10) a fuel cell that produces energy with reduced greenhouse gas emissions
18 as compared to conventional technology;

19 (11) energy efficiency and conservation;

20 (12) combined heat and power;

21 (13) energy storage and battery technologies;

22 (14) grid modernization, including the use of artificial technology and
23 integrated systems for energy demand response, demand management technology, and
24 improved energy distribution;

25 (15) biotechnology in clean energy and for the reduction of direct and
26 indirect agricultural emissions;

27 (16) carbon dioxide removal and management or reuse;

- 1 (17) clean fuels and displacement of energy-intensive products;
- 2 (18) transportation electrification and mobility technologies;
- 3 (19) new concepts to improve safety and reduce the cost of nuclear power;
- 4 (20) carbon-free generation technologies;
- 5 (21) any other technology or service that the Center determines will
6 contribute directly or indirectly to the production of energy from renewable or sustainable
7 sources, or to the improvement of efficiency in the use of energy; and
- 8 (22) deployment of any of the technologies or services listed in items (1)
9 through (21) of this subsection.

10 SECTION 2. AND BE IT FURTHER ENACTED, That:

- 11 (a) The Office of Climate Change Assistance for Small Businesses shall:
 - 12 (1) identify industries in the State with business models that are
13 fossil-fuel-based or carbon-intensive and that may be impacted by a transition to
14 advanced clean energy; and
 - 15 (2) conduct interviews and focus groups with small businesses and
16 industry representatives to identify areas of concern and assistance that may be needed
17 related to:
 - 18 (i) a transition to advanced clean energy; and
 - 19 (ii) developing climate resilience strategies to address impacts of
20 climate change.
- 21 (b) On or before October 1, 2024, the Office of Climate Change Assistance for
22 Small Businesses shall submit a report on its findings and recommendations under
23 subsection (a) of this section to the Governor, the Secretary of Commerce, and, in
24 accordance with § 2-1257 of the State Government Article, the General Assembly.

25 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2023.