

# SENATE BILL 235

F1, M3, M5

3lr1549  
CF HB 300

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By: **Senator West**

Introduced and read first time: January 23, 2023

Assigned to: Budget and Taxation

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 17, 2023

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **School Buildings – Solar and Geothermal Technology – ~~Solar Panels on Schools~~**

3 FOR the purpose of requiring ~~local school systems to consider whether certain schools~~  
4 ~~should be constructed during a certain period of time with solar panels on the roofs~~  
5 ~~of the schools; requiring local school systems to provide to the Interagency~~  
6 ~~Commission on School Construction an explanation for a decision not to include solar~~  
7 ~~panels as part of the construction of a school; and generally relating to school~~  
8 ~~buildings and solar technology~~ a county board of education, during a certain phase  
9 of the construction or major renovation of a school building, to evaluate the use of  
10 solar panels on the roof of the school and geothermal heating and cooling systems;  
11 prohibiting the Interagency Commission on School Construction from delaying the  
12 approval of certain projects under a certain circumstance; and generally relating to  
13 solar and geothermal technologies in public school construction.

14 BY repealing and reenacting, with amendments,

15 Article – Education

16 Section 5–319

17 Annotated Code of Maryland

18 (2022 Replacement Volume)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

20 That the Laws of Maryland read as follows:

21 **Article – Education**

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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 5-319.

2 ~~(a) The Interagency Commission shall adopt regulations that require the design~~  
 3 ~~development documents for the construction or major renovation of school buildings~~  
 4 ~~submitted by a county board to the Interagency Commission to include:~~

5 ~~(1) An evaluation of the use of solar technologies, including photovoltaic or~~  
 6 ~~solar water heating, based on life cycle costs; and~~

7 ~~(2) If an evaluation determines that solar technologies are not appropriate~~  
 8 ~~for a construction or major renovation project, a report that explains why the use of the~~  
 9 ~~technology is not appropriate.~~

10 ~~(B) (1) FOR EACH SCHOOL CONSTRUCTED BY A LOCAL SCHOOL SYSTEM~~  
 11 ~~FROM JULY 1, 2025, THROUGH JUNE 30, 2034, BOTH INCLUSIVE, THE LOCAL~~  
 12 ~~SCHOOL SYSTEM SHALL CONSIDER WHETHER THE SCHOOL SHOULD BE~~  
 13 ~~CONSTRUCTED WITH SOLAR PANELS ON THE ROOF OF THE SCHOOL.~~

14 ~~(2) IF, AFTER CONSIDERING INSTALLING SOLAR PANELS IN~~  
 15 ~~ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION, A LOCAL SCHOOL SYSTEM~~  
 16 ~~DECIDES NOT TO HAVE SOLAR PANELS INSTALLED ON THE ROOF OF THE SCHOOL,~~  
 17 ~~THE LOCAL SCHOOL SYSTEM SHALL PROVIDE TO THE INTERAGENCY COMMISSION~~  
 18 ~~AN EXPLANATION FOR THE DECISION NOT TO INCLUDE SOLAR PANELS AS PART OF~~  
 19 ~~THE CONSTRUCTION OF THE SCHOOL.~~

20 ~~[(b)] (C) On or before December 31 of each year, the Interagency Commission~~  
 21 ~~shall submit a report [on the number of public school construction and major renovation~~  
 22 ~~projects in each jurisdiction that use solar technologies] to the Governor and, in accordance~~  
 23 ~~with § 2-1257 of the State Government Article, the [General Assembly] PRESIDENT OF~~  
 24 ~~THE SENATE AND THE SPEAKER OF THE HOUSE THAT SPECIFIES:~~

25 ~~(1) THE NUMBER OF PUBLIC SCHOOL CONSTRUCTION AND MAJOR~~  
 26 ~~RENOVATION PROJECTS IN EACH JURISDICTION THAT USE SOLAR TECHNOLOGIES;~~  
 27 ~~AND~~

28 ~~(2) A LIST OF PUBLIC SCHOOL CONSTRUCTION AND MAJOR~~  
 29 ~~RENOVATION PROJECTS IN EACH JURISDICTION IN WHICH A LOCAL SCHOOL SYSTEM~~  
 30 ~~DECIDED NOT TO HAVE SOLAR PANELS INSTALLED ON THE ROOF OF THE SCHOOL,~~  
 31 ~~INCLUDING AN EXPLANATION FOR THE DECISION BY EACH JURISDICTION NOT TO~~  
 32 ~~INCLUDE SOLAR PANELS AS PART OF THE CONSTRUCTION OF THE SCHOOL.~~

33 (a) [The Interagency Commission shall adopt regulations that require the design  
 34 development documents for the construction or major renovation of school buildings  
 35 submitted by a county board to the Interagency Commission to include] FOR THE DESIGN

1 DEVELOPMENT PHASE FOR THE CONSTRUCTION OR MAJOR RENOVATION OF A  
 2 SCHOOL BUILDING, A COUNTY BOARD SHALL:

3 (1) [An] INCLUDE AN evaluation of the use of solar technologies, including  
 4 [photovoltaic or solar water heating, based on life cycle costs] SOLAR PANELS INSTALLED  
 5 ON THE ROOF OF THE SCHOOL, AND THE USE OF GEOTHERMAL HEATING AND  
 6 COOLING SYSTEMS; and

7 (2) If [an evaluation] THE COUNTY BOARD determines that solar  
 8 technologies OR GEOTHERMAL HEATING AND COOLING SYSTEMS are not appropriate  
 9 for a construction or major renovation project, SUBMIT a report TO THE INTERAGENCY  
 10 COMMISSION that explains why the use of the technology OR SYSTEMS is not appropriate.

11 (b) THE INTERAGENCY COMMISSION MAY NOT DELAY THE APPROVAL OF  
 12 THE CONSTRUCTION OR MAJOR RENOVATION OF A SCHOOL BUILDING IF A COUNTY  
 13 BOARD'S EVALUATION AND REPORT UNDER SUBSECTION (A) OF THIS SECTION HAVE  
 14 NOT BEEN SUBMITTED IN A TIMELY MANNER.

15 (c) On or before December 31 of each year, the Interagency Commission shall  
 16 submit a report on the number of public school construction and major renovation projects  
 17 in each jurisdiction that use solar technologies OR GEOTHERMAL HEATING AND  
 18 COOLING SYSTEMS to the Governor and, in accordance with § 2-1257 of the State  
 19 Government Article, the General Assembly.

20 (d) THE INTERAGENCY COMMISSION MAY ADOPT REGULATIONS  
 21 NECESSARY TO CARRY OUT THIS SECTION.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
 23 1, 2023, and shall be applicable to public school construction and major renovation projects  
 24 that have initiated design document development on or after June 1, 2023.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.