

HB0049/103324/1

BY: Education, Energy, and the Environment Committee

AMENDMENTS TO HOUSE BILL 49
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “**Alterations**” insert “**and Analysis**”; in line 12, strike “**crediting**.”; in the same line, strike “**and**”; strike beginning with the “**a**” in line 13 down through “**training**” in line 19 and substitute “**and a certain annual reporting fee to cover certain costs**”; in line 19, strike “**authorizing**” and substitute “**requiring**”; in the same line, after “**a**” insert “**certain**”; and strike beginning with “**deposit**” in line 21 down through “**Fund**” in line 22 and substitute “**conduct a certain analysis**”.

On page 2, strike in their entirety lines 6 through 10, inclusive.

On pages 2 and 3, strike in their entirety the lines beginning with line 32 on page 2 through line 7 on page 3, inclusive.

AMENDMENT NO. 2

On page 3, in line 23, after “sciences” insert “**AS DEFINED IN § 3-201 OF THE ECONOMIC DEVELOPMENT ARTICLE**”.

On page 4, in line 4, after “**SCIENCES;**” insert “**AND**”; in line 8, after “**INFRASTRUCTURE,**” insert “**EXCEPT FOR ANY CRITICAL INFRASTRUCTURE IDENTIFIED UNDER § 1-101(H-1)(2)(II) OF THE PUBLIC UTILITIES ARTICLE,**”; and strike beginning with “**AND**” in line 9 down through “**HOURS;**” in line 11.

On page 5, in line 5, strike “**THE**” and substitute “**IN CIRCUMSTANCES WHERE TENANT AUTHORIZATION IS REQUIRED, THE**”; in line 10, strike “**(4)**” and substitute “**(3)**”; and in lines 10 and 11, strike “**AND SUBSECTION (F) OF THIS SECTION**”.

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On pages 5 through 7, strike in their entirety the lines beginning with line 17 on page 5 through line 2 on page 7, inclusive.

On page 7, in lines 3 and 6, strike “**(XI)**” and “**(XII)**”, respectively, and substitute “**(VIII)**” and “**(IX)**”, respectively; strike beginning with “**(I)**” in line 9 down through “**(I)**” in line 23; and strike beginning with “**THAT**” in line 25 down through “**ADJUSTMENT**” in line 27.

On pages 7 and 8, strike in their entirety the lines beginning with line 28 on page 7 through line 30 on page 8, inclusive.

On page 8, in line 31, strike “**(8)**” and substitute “**(4)**”; and in line 32, strike “**MAY**” and substitute “**SHALL**”.

On page 9, in line 1, after “**COUNTY**” insert “**ADMINISTERING A BUILDING ENERGY PERFORMANCE STANDARDS PROGRAM ON OR BEFORE MARCH 1, 2025,**”; in the same line, strike the second “**A**”; in line 2, strike “**BUILDING**” and substitute “**BUILDINGS IN THE COUNTY**”; strike beginning with “**WHEN**” in line 3 down through “**PROGRAM**” in line 11; in line 20, strike “**IN**” and substitute “**UP TO**”; in the same line, after “**AND**” insert “**IN THE SAME**”; in line 22, strike “**IN**” and substitute “**UP TO**”; in line 23, after “**AND**” insert “**IN THE SAME**”; in line 25, strike “**(9)**” and substitute “**(5)**”; in the same line, after “**COUNTY**” insert “**ADMINISTERING A BUILDING ENERGY PERFORMANCE STANDARDS PROGRAM CERTIFIED BY THE DEPARTMENT UNDER PARAGRAPH (4)(I) OF THIS SUBSECTION**”; in line 26, strike “**ADOPTING**” and substitute “**:**”

(I) ADOPTING”;

and in line 28, after “**SECTION**” insert “**; OR**”

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(II) MODIFYING AN ADOPTED BUILDING PERFORMANCE STANDARDS PROGRAM.

On pages 9 and 10, strike in their entirety the lines beginning with line 29 on page 9 through line 8 on page 10, inclusive.

On page 10, in line 24, after “sciences” insert “AS DEFINED IN § 3-201 OF THE ECONOMIC DEVELOPMENT ARTICLE”.

On page 11, in line 6, after “SCIENCES;” insert “AND”; in line 10, after “INFRASTRUCTURE,” insert “EXCEPT FOR ANY CRITICAL INFRASTRUCTURE IDENTIFIED UNDER § 1-101(H-1)(2)(II) OF THE PUBLIC UTILITIES ARTICLE,”; and strike beginning with “AND” in line 11 down through “HOURS;” in line 13.

On page 12, in line 6, strike “THE” and substitute “IN CIRCUMSTANCES WHERE TENANT AUTHORIZATION IS REQUIRED, THE”; in line 11, strike “(4)” and substitute “(3)”; in lines 11 and 12, strike “AND SUBSECTION (F) OF THIS SECTION”.

On pages 12 through 14, strike in their entirety the lines beginning with line 18 on page 12 through line 4 on page 14, inclusive.

On page 14, in line 5, strike “(XI)” and substitute “(VIII)”; in line 8, strike “(XII)” and substitute “(IX)”; strike beginning with “(I)” in line 11 down through “(I)” in line 25; and strike beginning with “THAT” in line 27 down through “ADJUSTMENT” in line 29.

On pages 14 through 16, strike in their entirety the lines beginning with line 30 on page 14 through line 2 on page 16, inclusive.

On page 16, in lines 3 and 29, strike “(8)” and “(9)”, respectively, and substitute “(4)” and “(5)”, respectively; in line 4, strike “MAY” and substitute “SHALL”; in line 5,

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after "COUNTY" insert "ADMINISTERING A BUILDING ENERGY PERFORMANCE STANDARDS PROGRAM ON OR BEFORE MARCH 1, 2025."; in the same line, strike the second "A"; in line 6, strike "BUILDING" and substitute "BUILDINGS IN THE COUNTY"; strike beginning with "WHEN" in line 7 down through "PROGRAM" in line 15; in line 24, strike "IN" and substitute "UP TO"; in the same line, after "AND" insert "IN THE SAME"; in line 26, strike "IN" and substitute "UP TO"; in line 27, after "AND" insert "IN THE SAME"; in line 29, after "COUNTY" insert "ADMINISTERING A BUILDING ENERGY PERFORMANCE STANDARDS PROGRAM CERTIFIED BY THE DEPARTMENT UNDER PARAGRAPH (4)(I) OF THIS SUBSECTION"; in line 30, strike "ADOPTING" and substitute ":

(I) ADOPTING;

and in line 32, after "SECTION" insert "; **OR**

(II) MODIFYING AN ADOPTED BUILDING PERFORMANCE STANDARDS PROGRAM.

On page 17, strike in their entirety lines 1 through 13, inclusive.

On page 19, in line 5, strike the brackets; strike beginning with "IN" in line 5 down through "ARTICLE" in line 7.

On pages 19 and 20, strike in their entirety the lines beginning with line 17 on page 19 through line 7 on page 20, inclusive, and substitute:

"(I) 'MANUFACTURING BUILDING' MEANS A FACILITY IN WHICH MANUFACTURING, AS DEFINED IN § 2-1202 OF THIS ARTICLE, TAKES PLACE."

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On pages 20 and 21, strike in their entirety the lines beginning with line 22 on page 20 through line 23 on page 21, inclusive.

On page 21, after line 23, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) The Department of the Environment shall conduct an analysis of the potential costs and benefits of building energy performance standards policy options featuring direct emissions reduction requirements, energy use intensity requirements, and a combination of both requirements that describes, for each scenario:

(1) program design considerations;

(2) greenhouse gas emissions reduction potential;

(3) direct emissions reduction potential;

(4) overall energy savings potential;

(5) peak energy savings potential;

(6) implementation costs to building owners and the Department;

(7) lifecycle costs of the building and equipment and cost-effectiveness for building owners; and

(8) program implementation cost and complexity.

(b) In conducting the analysis required under subsection (a) of this section, the Department shall:

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(1) identify policy considerations and recommendations, including potential scenarios, including:

(i) a recommendation for calculating an alternative compliance fee for energy use intensity on covered building owners based on a simple payback period that takes into account any financial incentives offered to the building owners;

(ii) recommendations on how to address covered buildings that, despite all available incentives including the avoidance of penalties and fees, would not achieve compliance greenhouse gas emissions reductions and targets; and

(iii) recommendations on how to consider county-owned buildings, community colleges, emergency facilities, manufacturing buildings, and residential buildings, including considerations of tenants and condominium unit owners; and

(2) calculate building benchmarks based on benchmarking data reported to the Department in accordance with § 2-1602(b) of the Environment Article.

(c) On or before December 31, 2026, the Department shall submit the analysis and recommendations required under this section to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.”;

in line 24, strike “4.” and substitute “5.”; in line 30, strike “5.” and substitute “6.”; and in line 31, strike “4” and substitute “5”.