

SENATE BILL 149

M3, M1, C2
SB 958/24 – EEE & FIN

(PRE-FILED)

5lr1522
CF HB 128

By: **Senator Hester**

Requested: October 30, 2024

Introduced and read first time: January 8, 2025

Assigned to: Education, Energy, and the Environment and Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Responding to Emergency Needs From Extreme Weather (RENEW) Act of 2025**

3 FOR the purpose of establishing the Climate Change Adaptation and Mitigation Payment
4 Program in the Department of the Environment to secure payments from certain
5 businesses that extract fossil fuels or refine petroleum products in order to provide
6 a source of revenue for State efforts to adapt to or mitigate the effects of climate
7 change and to address the health impacts of climate change on vulnerable
8 populations; establishing the Climate Change Adaptation and Mitigation Fund as a
9 special, nonlapsing fund; authorizing the Legislative Auditor to conduct certain
10 audits of the Fund and of the appropriations and expenditures made for the purposes
11 of the Climate Change Adaptation and Mitigation Payment Program; and generally
12 relating to the Climate Change Adaptation and Mitigation Payment Program.

13 BY repealing and reenacting, without amendments,
14 Article – Environment
15 Section 2–1504(a)
16 Annotated Code of Maryland
17 (2013 Replacement Volume and 2024 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Environment
20 Section 2–1504(e)
21 Annotated Code of Maryland
22 (2013 Replacement Volume and 2024 Supplement)

23 BY adding to
24 Article – Environment
25 Section 2–1701 through 2–1708 to be under the new subtitle “Subtitle 17. Climate
26 Change Adaptation and Mitigation Payment Program”
27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (2013 Replacement Volume and 2024 Supplement)
- 2 BY repealing and reenacting, without amendments,
3 Article – Natural Resources
4 Section 5–222(a) and (b) and 8–2B–03(a)
5 Annotated Code of Maryland
6 (2023 Replacement Volume and 2024 Supplement)
- 7 BY repealing and reenacting, with amendments,
8 Article – Natural Resources
9 Section 5–222(f) and 8–2B–03(e)
10 Annotated Code of Maryland
11 (2023 Replacement Volume and 2024 Supplement)
- 12 BY repealing and reenacting, without amendments,
13 Article – Public Safety
14 Section 14–110.4(b) and 14–110.5(b)
15 Annotated Code of Maryland
16 (2022 Replacement Volume and 2024 Supplement)
- 17 BY repealing and reenacting, with amendments,
18 Article – Public Safety
19 Section 14–110.4(h) and 14–110.5(f)
20 Annotated Code of Maryland
21 (2022 Replacement Volume and 2024 Supplement)
- 22 BY repealing and reenacting, without amendments,
23 Article – State Government
24 Section 9–2012(b) and (i)(1), 9–2015(b), and 9–20B–05(a)
25 Annotated Code of Maryland
26 (2021 Replacement Volume and 2024 Supplement)
- 27 BY repealing and reenacting, with amendments,
28 Article – State Government
29 Section 9–2012(i)(4), 9–2015(f), and 9–20B–05(e)
30 Annotated Code of Maryland
31 (2021 Replacement Volume and 2024 Supplement)
- 32 BY adding to
33 Article – State Government
34 Section 9–20B–05(i–2)
35 Annotated Code of Maryland
36 (2021 Replacement Volume and 2024 Supplement)
- 37 BY repealing and reenacting, without amendments,
38 Article – Transportation
39 Section 7–1202(a) and 7–1203(a)

1 Annotated Code of Maryland
2 (2020 Replacement Volume and 2024 Supplement)

3 BY repealing and reenacting, with amendments,
4 Article – Transportation
5 Section 7–1203(c)
6 Annotated Code of Maryland
7 (2020 Replacement Volume and 2024 Supplement)

8 Preamble

9 WHEREAS, Climate change, resulting primarily from the combustion of fossil fuels,
10 is an immediate, grave threat to the State’s communities, environment, and economy; and

11 WHEREAS, In addition to mitigating the further buildup of greenhouse gases, the
12 State must take action to adapt to certain consequences of climate change that are
13 irreversible, including rising sea levels, increasing temperatures, extreme weather events,
14 flooding, heat waves, toxic algae blooms, and other threats; and

15 WHEREAS, Meeting the challenge of adapting to and mitigating the effects of
16 climate change will require a shared commitment of purpose and huge investments in new
17 or upgraded infrastructure; and

18 WHEREAS, The State has previously adopted programs, such as the Cigarette
19 Restitution Fund Program, to require industries that have profited by harming the public
20 welfare to shoulder their share of the burden in redressing that harm; and

21 WHEREAS, Based on decades of research, it is now possible to determine with great
22 accuracy the share of greenhouse gases released into the atmosphere by specific fossil fuel
23 companies over the last 70 years or more, making it possible to assign liability and require
24 compensation from companies commensurate with their emissions during a given time
25 period; now, therefore,

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

28 **Article – Environment**

29 2–1504.

30 (a) There is a Zero–Emission Vehicle School Bus Transition Fund.

31 (e) The Fund consists of:

32 (1) Money appropriated in the State budget to the Fund;

33 (2) Interest earnings of the Fund;

1 (3) Donations;

2 (4) Money derived from legal settlements earmarked for the purpose of
3 transitioning to school buses that are zero-emission vehicles; [and]

4 (5) **MONEY RECEIVED FROM THE CLIMATE CHANGE ADAPTATION
5 AND MITIGATION FUND IN ACCORDANCE WITH § 2-1705 OF THIS TITLE; AND**

6 (6) Any other money from any other source accepted for the benefit of the
7 Fund.

8 **SUBTITLE 17. CLIMATE CHANGE ADAPTATION AND MITIGATION PAYMENT
9 PROGRAM.**

10 **2-1701.**

11 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
12 INDICATED.

13 (B) (1) “CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE
14 PROJECT” MEANS AN INFRASTRUCTURE PROJECT DESIGNED TO AVOID, MODERATE,
15 OR REPAIR DAMAGE CAUSED BY CLIMATE CHANGE.

16 (2) “CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE
17 PROJECT” INCLUDES PROJECTS TO:

18 (I) CONSTRUCT SEAWALLS OR OTHER COASTAL DEFENSE
19 STRUCTURES;

20 (II) UPGRADE STORMWATER OR SEWER SYSTEMS;

21 (III) MAKE DEFENSIVE UPGRADES TO ROADS, BRIDGES, RAIL
22 INFRASTRUCTURE, OR OTHER TRANSIT SYSTEMS;

23 (IV) PREPARE FOR AND RECOVER FROM HURRICANES AND
24 OTHER EXTREME WEATHER EVENTS;

25 (V) RELOCATE, ELEVATE, OR RETROFIT WASTEWATER
26 TREATMENT PLANTS THAT ARE VULNERABLE TO FLOODING;

27 (VI) INSTALL HEAT PUMPS AND OTHER CLEAN ENERGY
28 RETROFITS IN PUBLIC AND PRIVATE BUILDINGS, INCLUDING SCHOOL BUILDINGS;
29 AND

1 (VII) RESPOND TO TOXIC ALGAE BLOOMS, THE LOSS OF
2 AGRICULTURAL TOPSOIL, AND OTHER CLIMATE-DRIVEN ECOSYSTEM THREATS TO
3 FORESTS, FARMS, AND FISHERIES.

4 (C) “COAL” INCLUDES:

5 (1) BITUMINOUS COAL;

6 (2) ANTHRACITE COAL; AND

7 (3) LIGNITE.

8 (D) “COMMUNITY DISPROPORTIONATELY AFFECTED BY CLIMATE IMPACTS”
9 MEANS A COMMUNITY IDENTIFIED IN ACCORDANCE WITH § 1-702 OF THIS ARTICLE.

10 (E) “CONTROLLED GROUP” MEANS TWO OR MORE ENTITIES TREATED AS A
11 SINGLE EMPLOYER UNDER:

12 (1) § 52(A) OR (B) OF THE INTERNAL REVENUE CODE, WITHOUT
13 REGARD TO § 1563(B)(2)(C) OF THE INTERNAL REVENUE CODE; OR

14 (2) § 414(M) OR (O) OF THE INTERNAL REVENUE CODE.

15 (F) “COST RECOVERY DEMAND” MEANS A CHARGE ASSERTED AGAINST A
16 RESPONSIBLE PARTY FOR COST RECOVERY PAYMENTS UNDER THE PROGRAM.

17 (G) “COVERED GREENHOUSE GAS EMISSIONS” MEANS THE TOTAL
18 QUANTITY OF GREENHOUSE GASES RELEASED INTO THE ATMOSPHERE DURING THE
19 COVERED PERIOD, EXPRESSED IN METRIC TONS OF CARBON DIOXIDE EQUIVALENT,
20 RESULTING FROM THE USE OF FOSSIL FUELS OR PETROLEUM PRODUCTS
21 EXTRACTED, PRODUCED, REFINED, OR SOLD BY AN ENTITY.

22 (H) “COVERED PERIOD” MEANS MARCH 21, 1994, THROUGH DECEMBER 31,
23 2023, BOTH INCLUSIVE.

24 (I) (1) “CRUDE OIL” MEANS OIL OR PETROLEUM OF ANY KIND AND IN
25 ANY FORM.

26 (2) “CRUDE OIL” INCLUDES:

27 (I) BITUMEN;

- 1 **(II) OIL SANDS;**
2 **(III) HEAVY OIL;**
3 **(IV) CONVENTIONAL AND UNCONVENTIONAL OIL;**
4 **(V) SHALE OIL;**
5 **(VI) NATURAL GAS LIQUIDS;**
6 **(VII) CONDENSATES; AND**
7 **(VIII) RELATED FOSSIL FUELS.**

8 **(J) “ENTITY” MEANS ANY INDIVIDUAL, TRUSTEE, AGENT, PARTNERSHIP,**
9 **ASSOCIATION, CORPORATION, COMPANY, MUNICIPAL CORPORATION, POLITICAL**
10 **SUBDIVISION, OR OTHER PERSON, INCLUDING A FOREIGN NATION, THAT HOLDS OR**
11 **HELD AN OWNERSHIP INTEREST IN A FOSSIL FUEL BUSINESS DURING THE COVERED**
12 **PERIOD.**

13 **(K) “FOSSIL FUEL” MEANS COAL, PETROLEUM PRODUCTS, AND FUEL**
14 **GASES.**

15 **(L) “FOSSIL FUEL BUSINESS” MEANS A BUSINESS ENGAGING IN THE**
16 **EXTRACTION OF FOSSIL FUELS OR THE REFINING OF PETROLEUM PRODUCTS.**

17 **(M) “FUEL GAS” INCLUDES:**

- 18 **(1) METHANE;**
19 **(2) NATURAL GAS;**
20 **(3) LIQUEFIED NATURAL GAS; AND**
21 **(4) MANUFACTURED FUEL GASES.**

22 **(N) “FUND” MEANS THE CLIMATE CHANGE ADAPTATION AND MITIGATION**
23 **FUND ESTABLISHED UNDER § 2-1705 OF THIS SUBTITLE.**

24 **(O) “GREENHOUSE GAS” HAS THE MEANING STATED IN § 2-1202 OF THIS**
25 **TITLE.**

1 (P) "NOTICE OF COST RECOVERY DEMAND" MEANS A WRITTEN
2 COMMUNICATION INFORMING A RESPONSIBLE PARTY OF THE AMOUNT OF THE COST
3 RECOVERY DEMAND PAYABLE TO THE DEPARTMENT UNDER THIS SUBTITLE.

4 (Q) "PETROLEUM PRODUCT" MEANS ANY PRODUCT REFINED OR
5 RE-REFINED FROM:

6 (1) SYNTHETIC OR CRUDE OIL; OR

7 (2) CRUDE OIL EXTRACTED FROM NATURAL GAS LIQUIDS OR OTHER
8 SOURCES.

9 (R) "PROGRAM" MEANS THE CLIMATE CHANGE ADAPTATION AND
10 MITIGATION PAYMENT PROGRAM ESTABLISHED UNDER § 2-1703 OF THIS
11 SUBTITLE.

12 (S) (1) "QUALIFYING EXPENDITURE" MEANS AN AUTHORIZED PAYMENT
13 FROM THE FUND IN SUPPORT OF A CLIMATE CHANGE ADAPTIVE OR MITIGATION
14 INFRASTRUCTURE PROJECT.

15 (2) "QUALIFYING EXPENDITURE" INCLUDES, TO THE EXTENT
16 AUTHORIZED IN DEPARTMENT REGULATIONS, A PAYMENT TOWARD THE OPERATION
17 AND MAINTENANCE OF A CLIMATE CHANGE ADAPTIVE OR MITIGATION
18 INFRASTRUCTURE PROJECT.

19 (T) (1) "RESPONSIBLE PARTY" MEANS AN ENTITY, OR A SUCCESSOR IN
20 INTEREST TO AN ENTITY, THAT:

21 (I) DURING ANY PART OF THE COVERED PERIOD, WAS
22 ENGAGED IN THE TRADE OR BUSINESS OF EXTRACTING FOSSIL FUEL OR REFINING
23 CRUDE OIL; AND

24 (II) IS DETERMINED BY THE DEPARTMENT TO BE RESPONSIBLE
25 FOR MORE THAN 1,000,000,000 TONS OF COVERED GREENHOUSE GAS EMISSIONS.

26 (2) "RESPONSIBLE PARTY" DOES NOT INCLUDE ANY PERSON THAT
27 LACKS SUFFICIENT CONNECTION WITH THE STATE TO SATISFY THE NEXUS
28 REQUIREMENTS OF THE UNITED STATES CONSTITUTION.

29 (U) "TOTAL ASSESSED COST OF GREENHOUSE GAS EMISSIONS" MEANS THE
30 TOTAL ASSESSED COST TO THE STATE AND ITS RESIDENTS OF COVERED
31 GREENHOUSE GAS EMISSIONS DURING THE COVERED PERIOD, AS DETERMINED BY
32 THE STATE TREASURER IN ACCORDANCE WITH § 2-1704(C) OF THIS SUBTITLE.

1 **2-1702.**

2 **(A) THIS SUBTITLE MAY NOT BE CONSTRUED TO:**

3 **(1) RELIEVE THE LIABILITY OF AN ENTITY FOR DAMAGES RESULTING**
4 **FROM CLIMATE CHANGE, AS PROVIDED BY LAW;**

5 **(2) PREEMPT, DISPLACE, OR RESTRICT ANY RIGHT OR REMEDY OF A**
6 **PERSON OR UNIT OF STATE OR LOCAL GOVERNMENT UNDER THE LAW RELATING TO**
7 **A PAST, PRESENT, OR FUTURE ALLEGATION OF:**

8 **(I) DECEPTION CONCERNING THE EFFECTS OF FOSSIL FUELS**
9 **ON CLIMATE CHANGE;**

10 **(II) DAMAGE OR INJURY RESULTING FROM THE ROLE OF FOSSIL**
11 **FUELS IN CONTRIBUTING TO CLIMATE CHANGE; OR**

12 **(III) FAILURE TO AVOID DAMAGE OR INJURY RELATING TO**
13 **CLIMATE CHANGE, INCLUDING CLAIMS FOR:**

14 **1. NUISANCE;**

15 **2. TRESPASS;**

16 **3. DESIGN DEFECT;**

17 **4. NEGLIGENCE;**

18 **5. FAILURE TO WARN;**

19 **6. DECEPTIVE OR UNFAIR PRACTICES; OR**

20 **7. INJUNCTIVE, DECLARATORY, MONETARY, OR OTHER**
21 **FORM OF RELIEF; OR**

22 **(3) PREEMPT, SUPERSEDE, OR DISPLACE ANY STATE OR LOCAL LAW,**
23 **REGULATION, POLICY, OR PROGRAM THAT:**

24 **(I) LIMITS, SETS, OR ENFORCES STANDARDS FOR**
25 **GREENHOUSE GAS EMISSIONS;**

1 (II) MONITORS, REPORTS, OR KEEPS RECORDS OF
2 GREENHOUSE GAS EMISSIONS;

3 (III) COLLECTS REVENUE THROUGH FEES OR TAXES; OR

4 (IV) CONDUCTS OR SUPPORTS INVESTIGATIONS.

5 (B) (1) EVERY CASE FILED IN A COURT OF THE STATE UNDER STATE LAW
6 MAY NOT BE EXPRESSLY OR IMPLIEDLY PREEMPTED, DISPLACED, MOOTED, OR
7 DISMISSED ON ANY OTHER PRUDENTIAL CONSIDERATION ARISING FROM THIS
8 SUBTITLE.

9 (2) TO THE EXTENT THAT ANY ASPECT OF EVERY CASE FILED IN A
10 COURT OF THE STATE IS REVIEWED FOR THE APPLICATION OF THIS SUBTITLE, THE
11 APPLICATION OF THIS SUBTITLE IS SEVERABLE IN EACH OF ITS APPLICATIONS TO
12 EVERY PERSON AND CIRCUMSTANCE.

13 2-1703.

14 (A) THERE IS A CLIMATE CHANGE ADAPTATION AND MITIGATION
15 PAYMENT PROGRAM IN THE DEPARTMENT.

16 (B) THE PURPOSE OF THE PROGRAM IS TO:

17 (1) SECURE COMPENSATORY PAYMENTS FROM FOSSIL FUEL
18 BUSINESSES BASED ON A STANDARD OF STRICT LIABILITY IN ORDER TO PROVIDE A
19 SOURCE OF REVENUE FOR STATE EFFORTS TO:

20 (I) ADAPT TO AND MITIGATE THE EFFECTS OF CLIMATE
21 CHANGE, INCLUDING THROUGH THE IMPLEMENTATION OF CLIMATE CHANGE
22 ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECTS; AND

23 (II) ADDRESS THE HEALTH IMPACTS OF CLIMATE CHANGE ON
24 VULNERABLE POPULATIONS;

25 (2) DETERMINE THE PROPORTIONAL LIABILITY OF RESPONSIBLE
26 PARTIES IN ACCORDANCE WITH § 2-1704 OF THIS SUBTITLE;

27 (3) IMPOSE COST RECOVERY DEMANDS ON RESPONSIBLE PARTIES
28 AND ISSUE NOTICES OF COST RECOVERY DEMANDS;

29 (4) ACCEPT AND COLLECT COST RECOVERY PAYMENTS FROM
30 RESPONSIBLE PARTIES;

1 **(5) IDENTIFY CLIMATE CHANGE ADAPTIVE OR MITIGATION**
2 **INFRASTRUCTURE PROJECTS WITHIN THE STATE;**

3 **(6) DISBURSE FUNDS IN ACCORDANCE WITH THIS SUBTITLE; AND**

4 **(7) ENSURE THAT AT LEAST 40% OF THE QUALIFIED EXPENDITURES**
5 **FROM THE PROGRAM GO TO CLIMATE CHANGE ADAPTIVE OR MITIGATION**
6 **INFRASTRUCTURE PROJECTS THAT DIRECTLY BENEFIT COMMUNITIES**
7 **DISPROPORTIONATELY AFFECTED BY CLIMATE IMPACTS.**

8 **2-1704.**

9 **(A) THE STATE MAY IMPOSE COST RECOVERY DEMANDS ON A RESPONSIBLE**
10 **PARTY IF, AT ANY TIME DURING THE COVERED PERIOD, THE RESPONSIBLE PARTY:**

11 **(1) DID BUSINESS IN THE STATE;**

12 **(2) WAS REGISTERED TO DO BUSINESS IN THE STATE;**

13 **(3) WAS APPOINTED AS AN AGENT OF THE STATE; OR**

14 **(4) OTHERWISE HAD SUFFICIENT CONTACTS WITH THE STATE TO**
15 **GIVE THE STATE JURISDICTION OVER THE RESPONSIBLE PARTY IN ACCORDANCE**
16 **WITH STATE LAW.**

17 **(B) (1) A RESPONSIBLE PARTY IS STRICTLY LIABLE, WITHOUT REGARD**
18 **TO FAULT, FOR A SHARE OF THE COSTS OF CLIMATE CHANGE ADAPTIVE OR**
19 **MITIGATION INFRASTRUCTURE PROJECTS, INCLUDING OPERATING AND**
20 **MAINTENANCE COSTS, SUPPORTED BY THE FUND.**

21 **(2) FOR PURPOSES OF THIS SECTION, ENTITIES IN A CONTROLLED**
22 **GROUP:**

23 **(I) SHALL BE TREATED BY THE DEPARTMENT AS A SINGLE**
24 **ENTITY FOR THE PURPOSE OF IDENTIFYING RESPONSIBLE PARTIES; AND**

25 **(II) ARE JOINTLY AND SEVERALLY LIABLE FOR PAYMENT OF**
26 **ANY COST RECOVERY DEMAND OWED BY ANY ENTITY IN THE CONTROLLED GROUP.**

27 **(C) (1) WITH RESPECT TO EACH RESPONSIBLE PARTY, THE COST**
28 **RECOVERY DEMAND SHALL BE EQUAL TO AN AMOUNT THAT BEARS THE SAME RATIO**
29 **TO THE TOTAL ASSESSED COST OF GREENHOUSE GAS EMISSIONS AS THE**

1 RESPONSIBLE PARTY'S APPLICABLE SHARE OF COVERED GREENHOUSE GAS
2 EMISSIONS BEARS TO THE AGGREGATE APPLICABLE SHARES OF ALL RESPONSIBLE
3 PARTIES' COVERED GREENHOUSE GAS EMISSIONS.

4 (2) (I) ON OR BEFORE DECEMBER 1, 2026, THE STATE
5 TREASURER, IN CONSULTATION WITH THE COMPTROLLER, THE DEPARTMENT, AND
6 ANY OTHER ENTITY AS DETERMINED BY THE STATE TREASURER, SHALL REPORT TO
7 THE SENATE BUDGET AND TAXATION COMMITTEE, THE SENATE EDUCATION,
8 ENERGY, AND ENVIRONMENT COMMITTEE, THE SENATE JUDICIAL PROCEEDINGS
9 COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, THE HOUSE
10 ENVIRONMENT AND TRANSPORTATION COMMITTEE, AND THE HOUSE JUDICIARY
11 COMMITTEE, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT
12 ARTICLE, ON THE TOTAL ASSESSED COST OF GREENHOUSE GAS EMISSIONS.

13 (II) THE REPORT REQUIRED UNDER SUBPARAGRAPH (I) OF
14 THIS PARAGRAPH SHALL INCLUDE:

15 1. A SUMMARY OF THE VARIOUS COST-DRIVING
16 EFFECTS OF COVERED GREENHOUSE GAS EMISSIONS ON THE STATE, INCLUDING
17 EFFECTS ON PUBLIC HEALTH, NATURAL RESOURCES, BIODIVERSITY, AGRICULTURE,
18 ECONOMIC DEVELOPMENT, FLOOD PREPAREDNESS AND SAFETY, AND HOUSING,
19 AND ANY OTHER EFFECT THAT THE STATE TREASURER, IN CONSULTATION WITH
20 THE COMPTROLLER AND THE DEPARTMENT, DETERMINES TO BE RELEVANT;

21 2. A CATEGORIZED CALCULATION OF THE COSTS THAT
22 HAVE BEEN INCURRED AND COSTS THAT ARE PROJECTED TO BE INCURRED BY THE
23 STATE AND ITS RESIDENTS FOR EACH EFFECT IDENTIFIED UNDER ITEM 1 OF THIS
24 SUBPARAGRAPH; AND

25 3. A CATEGORIZED CALCULATION OF THE COSTS THAT
26 HAVE BEEN INCURRED AND COSTS THAT ARE PROJECTED TO BE INCURRED BY THE
27 STATE AND ITS RESIDENTS TO MITIGATE THE EFFECTS OF COVERED GREENHOUSE
28 GAS EMISSIONS DURING THE COVERED PERIOD.

29 (D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
30 RESPONSIBLE PARTY'S APPLICABLE SHARE OF GREENHOUSE GAS EMISSIONS SHALL
31 BE THE AMOUNT BY WHICH THE COVERED GREENHOUSE GAS EMISSIONS
32 ATTRIBUTABLE TO THE RESPONSIBLE PARTY EXCEEDS 1,000,000,000 METRIC TONS.

33 (2) IF A RESPONSIBLE PARTY OWNS A MINORITY INTEREST OF 10% OR
34 MORE IN ANOTHER ENTITY, THE RESPONSIBLE PARTY'S APPLICABLE SHARE OF
35 GREENHOUSE GAS EMISSIONS SHALL BE CALCULATED AS THE APPLICABLE SHARE
36 OF GREENHOUSE GAS EMISSIONS FOR THE ENTITY IN WHICH THE RESPONSIBLE

1 PARTY HOLDS A MINORITY INTEREST, AS CALCULATED UNDER PARAGRAPH (1) OF
2 THIS SUBSECTION, MULTIPLIED BY THE PERCENTAGE OF THE MINORITY INTEREST
3 HELD BY THE RESPONSIBLE PARTY.

4 (3) IN DETERMINING THE AMOUNT OF GREENHOUSE GAS EMISSIONS
5 ATTRIBUTABLE TO AN ENTITY, THE DEPARTMENT SHALL ASSUME THAT:

6 (I) 942.5 METRIC TONS OF CARBON DIOXIDE EQUIVALENT IS
7 RELEASED FOR EVERY 1,000,000 POUNDS OF COAL ATTRIBUTABLE TO THE ENTITY;

8 (II) 432,180 METRIC TONS OF CARBON DIOXIDE EQUIVALENT IS
9 RELEASED FOR EVERY 1,000,000 BARRELS OF CRUDE OIL ATTRIBUTABLE TO THE
10 ENTITY; AND

11 (III) 53,440 METRIC TONS OF CARBON DIOXIDE EQUIVALENT IS
12 RELEASED FOR EVERY 1,000,000 CUBIC FEET OF FUEL GASES ATTRIBUTABLE TO
13 THE ENTITY.

14 (E) THE DEPARTMENT MAY ADJUST THE COST RECOVERY DEMAND
15 AMOUNT OF A RESPONSIBLE PARTY THAT REFINES PETROLEUM PRODUCTS OR THAT
16 IS A SUCCESSOR IN INTEREST TO AN ENTITY THAT REFINES PETROLEUM PRODUCTS,
17 IF THE RESPONSIBLE PARTY ESTABLISHES TO THE SATISFACTION OF THE
18 DEPARTMENT THAT:

19 (1) A PORTION OF THE COST RECOVERY DEMAND AMOUNT WAS
20 ATTRIBUTABLE TO THE REFINING OF CRUDE OIL EXTRACTED BY ANOTHER ENTITY;
21 AND

22 (2) THE CRUDE OIL EXTRACTED BY THE OTHER ENTITY WAS
23 ACCOUNTED FOR WHEN THE DEPARTMENT DETERMINED THE COST RECOVERY
24 DEMAND AMOUNT FOR THE OTHER ENTITY OR A SUCCESSOR IN INTEREST OF THE
25 OTHER ENTITY.

26 (F) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
27 RESPONSIBLE PARTY SHALL PAY THE COST RECOVERY DEMAND AMOUNT IN FULL
28 ON OR BEFORE OCTOBER 1, 2027.

29 (2) (I) A RESPONSIBLE PARTY MAY ELECT TO PAY THE COST
30 RECOVERY DEMAND AMOUNT IN NINE ANNUAL INSTALLMENTS IN ACCORDANCE
31 WITH THIS PARAGRAPH.

1 **(II) THE FIRST INSTALLMENT SHALL BE PAID ON OR BEFORE**
2 **OCTOBER 1, 2027, AND SHALL BE EQUAL TO 20% OF THE TOTAL COST RECOVERY**
3 **DEMAND AMOUNT.**

4 **(III) EACH SUBSEQUENT INSTALLMENT SHALL BE PAID ON OR**
5 **BEFORE SEPTEMBER 30 EACH SUBSEQUENT YEAR AND SHALL BE EQUAL TO 10% OF**
6 **THE TOTAL COST RECOVERY DEMAND AMOUNT.**

7 **(IV) 1. THE UNPAID BALANCE OF ALL REMAINING**
8 **INSTALLMENTS SHALL BECOME DUE IMMEDIATELY IF:**

9 **A. THE RESPONSIBLE PARTY FAILS TO PAY ANY**
10 **INSTALLMENT IN A TIMELY MANNER, AS SPECIFIED IN DEPARTMENT REGULATIONS;**

11 **B. EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF**
12 **THIS SUBPARAGRAPH, THERE IS A LIQUIDATION OR SALE OF SUBSTANTIALLY ALL**
13 **THE ASSETS OF THE RESPONSIBLE PARTY, INCLUDING IN A BANKRUPTCY**
14 **PROCEEDING; OR**

15 **C. THE RESPONSIBLE PARTY CEASES TO DO BUSINESS.**

16 **2. IN THE CASE OF A SALE OF SUBSTANTIALLY ALL THE**
17 **ASSETS OF A RESPONSIBLE PARTY, THE REMAINING INSTALLMENTS SHALL NOT**
18 **BECOME DUE IMMEDIATELY IF THE BUYER ENTERS INTO AN AGREEMENT WITH THE**
19 **DEPARTMENT UNDER WHICH THE BUYER ASSUMES LIABILITY FOR THE REMAINING**
20 **INSTALLMENTS DUE UNDER THIS SUBPARAGRAPH IN THE SAME MANNER AS IF THE**
21 **BUYER WERE THE RESPONSIBLE PARTY.**

22 **(G) THE DEPARTMENT SHALL DEPOSIT COST RECOVERY PAYMENTS**
23 **COLLECTED UNDER THIS SECTION TO THE CLIMATE CHANGE ADAPTATION AND**
24 **MITIGATION FUND ESTABLISHED UNDER § 2-1705 OF THIS SUBTITLE.**

25 **(H) A RESPONSIBLE PARTY MAY REQUEST A HEARING UNDER TITLE 10,**
26 **SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE (ADMINISTRATIVE PROCEDURE**
27 **ACT – CONTESTED CASES) TO CONTEST A COST RECOVERY DEMAND MADE BY THE**
28 **DEPARTMENT UNDER THIS SECTION.**

29 **(I) (1) THE REMEDIES PROVIDED IN THIS SECTION ARE IN ADDITION TO**
30 **ANY OTHER REMEDY PROVIDED BY LAW.**

31 **(2) THIS SECTION MAY NOT BE CONSTRUED TO PREVENT A PERSON**
32 **FROM PURSUING A CIVIL ACTION OR ANY OTHER REMEDY PROVIDED BY LAW.**

1 **2-1705.**

2 (A) **THERE IS A CLIMATE CHANGE ADAPTATION AND MITIGATION FUND.**

3 (B) **THE PURPOSE OF THE FUND IS TO PROVIDE FUNDING FOR STATE**
4 **EFFORTS TO ADAPT TO AND MITIGATE THE EFFECTS OF CLIMATE CHANGE.**

5 (C) **THE DEPARTMENT SHALL ADMINISTER THE FUND.**

6 (D) (1) **THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**
7 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

8 (2) **THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**
9 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

10 (E) **THE FUND CONSISTS OF:**

11 (1) **COST RECOVERY PAYMENTS DISTRIBUTED TO THE FUND UNDER**
12 **§ 2-1704 OF THIS SUBTITLE;**

13 (2) **MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**
14 **AND**

15 (3) **ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR**
16 **THE BENEFIT OF THE FUND.**

17 (F) **THE FUND MAY BE USED ONLY:**

18 (1) **TO PAY:**

19 (i) **QUALIFIED EXPENDITURES FOR CLIMATE CHANGE**
20 **ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECTS IDENTIFIED BY THE**
21 **DEPARTMENT IN ACCORDANCE WITH REGULATIONS ADOPTED UNDER § 2-1707 OF**
22 **THIS SUBTITLE; AND**

23 (ii) **REASONABLE ADMINISTRATIVE COSTS OF THE PROGRAM;**

24 (2) **TO PROVIDE GRANTS TO LOCAL JURISDICTIONS IN ACCORDANCE**
25 **WITH § 2-1706 OF THIS SUBTITLE;**

26 (3) **FOR THE DEPARTMENT'S COMPREHENSIVE FLOOD**
27 **MANAGEMENT GRANT PROGRAM UNDER § 5-803 OF THIS ARTICLE TO IMPLEMENT:**

1 (I) CAPITAL PROJECTS UNDERTAKEN AS PART OF
2 COMPREHENSIVE FLOOD MANAGEMENT PLANS; AND

3 (II) INFRASTRUCTURE REPAIRS, WATERSHED RESTORATION,
4 AND EMERGENCY PROTECTION WORK ASSOCIATED WITH FLOOD EVENTS; AND

5 (4) TO SUPPORT THE FOLLOWING:

6 (I) THE STATE DISASTER RECOVERY FUND UNDER §
7 14-110.5 OF THE PUBLIC SAFETY ARTICLE FOR DISASTER RECOVERY ASSISTANCE;

8 (II) THE MARYLAND DEPARTMENT OF HEALTH'S OFFICE OF
9 MINORITY HEALTH AND HEALTH DISPARITIES IN ADDRESSING THE HEALTH
10 IMPACTS OF CLIMATE CHANGE ON MINORITY ADULTS, CHILDREN, AND INFANTS;

11 (III) THE MARYLAND DEPARTMENT OF HEALTH'S COMMUNITY
12 HEALTH RESOURCES COMMISSION FOR THE HEALTH EQUITY RESOURCE
13 COMMUNITIES PROGRAM;

14 (IV) THE MARYLAND DEPARTMENT OF HEALTH'S MEDICAID
15 ADMINISTRATION TO USE FOR THE STATE MEDICAID PROGRAM;

16 (V) THE DEPARTMENT OF NATURAL RESOURCES TO
17 INCORPORATE CLIMATE AND EQUITY PROVISIONS IN LOCAL CRITICAL AREA
18 PROGRAM GRANTS;

19 (VI) THE GREAT MARYLAND OUTDOORS FUND UNDER § 5-222
20 OF THE NATURAL RESOURCES ARTICLE TO SUPPORT CLIMATE EDUCATION AND
21 ADAPTATION ON PARK LANDS;

22 (VII) THE WHOLE WATERSHED FUND UNDER § 8-2B-03 OF THE
23 NATURAL RESOURCES ARTICLE TO SUPPORT WATERSHED AND COMMUNITY
24 RESILIENCE;

25 (VIII) THE DEPARTMENT OF NATURAL RESOURCES IN MANAGING
26 FLOODING THROUGH THE IMPLEMENTATION OF STREAM RESTORATION AND
27 NATURAL FILTRATION PROJECTS;

28 (IX) THE DEPARTMENT OF NATURAL RESOURCES IN
29 PROVIDING PLANNING GRANTS TO LOCAL GOVERNMENTS TO PREPARE FOR
30 EXTREME FLOODING;

1 **(X) THE MARYLAND STRATEGIC ENERGY INVESTMENT FUND**
2 **UNDER § 9–20B–05 OF THE STATE GOVERNMENT ARTICLE FOR:**

3 **1. ENERGY EFFICIENCY PROGRAMS BENEFITING**
4 **LOW–INCOME AND MODERATE–INCOME HOUSEHOLDS; AND**

5 **2. OTHER CLEAN ENERGY INVESTMENTS;**

6 **(XI) THE RESILIENCY HUB GRANT PROGRAM FUND UNDER §**
7 **9–2015 OF THE STATE GOVERNMENT ARTICLE IN DEVELOPING RESILIENCY HUBS**
8 **SERVING LOW–INCOME AND MODERATE–INCOME HOUSEHOLDS;**

9 **(XII) THE MARYLAND DEPARTMENT OF EMERGENCY**
10 **MANAGEMENT IN SUPPLEMENTING PRE–DISASTER MITIGATION FUNDING**
11 **PROVIDED UNDER THE FEDERAL BUILDING RESILIENT INFRASTRUCTURE AND**
12 **COMMUNITIES (BRIC) GRANT PROGRAM;**

13 **(XIII) THE RESILIENT MARYLAND REVOLVING LOAN FUND**
14 **UNDER § 14–110.4 OF THE PUBLIC SAFETY ARTICLE;**

15 **(XIV) THE CLIMATE CATALYTIC CAPITAL FUND UNDER § 10–855**
16 **OF THE ECONOMIC DEVELOPMENT ARTICLE;**

17 **(XV) THE DEPARTMENT OF HOUSING AND COMMUNITY**
18 **DEVELOPMENT IN PROVIDING GRANTS AND LOANS UNDER THE MARYLAND**
19 **WHOLEHOME PROGRAM;**

20 **(XVI) THE MARYLAND ENERGY ADMINISTRATION IN PROVIDING**
21 **FINANCIAL ASSISTANCE TO LOW–INCOME AND MODERATE–INCOME HOUSEHOLDS**
22 **TO TRANSITION THEIR HOMES OFF FOSSIL FUELS;**

23 **(XVII) THE ENERGY STORAGE SYSTEM GRANT FUND UNDER §**
24 **9–2012 OF THE STATE GOVERNMENT ARTICLE;**

25 **(XVIII) THE DEPARTMENT OF COMMERCE IN ATTRACTING**
26 **CLEANTECH AND RENEWABLE ENERGY BUSINESSES TO THE STATE;**

27 **(XIX) THE DEPARTMENT’S DAM SAFETY PROGRAM UNDER TITLE**
28 **5, SUBTITLE 5 OF THIS ARTICLE;**

29 **(XX) THE DEPARTMENT IN SUPPLEMENTING FUNDING FOR THE**
30 **COMMISSION ON ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES**
31 **UNDER TITLE 1, SUBTITLE 7 OF THIS ARTICLE;**

1 **(XXI) THE DEPARTMENT OF TRANSPORTATION FOR THE**
2 **STATEWIDE TRANSIT INNOVATION GRANT PROGRAM;**

3 **(XXII) THE ZERO-EMISSION VEHICLE SCHOOL BUS TRANSITION**
4 **FUND UNDER § 2-1504 OF THIS TITLE;**

5 **(XXIII) THE MARYLAND ENERGY ADMINISTRATION FOR THE**
6 **MEDIUM-DUTY AND HEAVY-DUTY ZERO-EMISSION VEHICLE GRANT PROGRAM**
7 **UNDER § 9-2011 OF THE STATE GOVERNMENT ARTICLE;**

8 **(XXIV) THE MARYLAND ENERGY ADMINISTRATION FOR THE**
9 **ELECTRIC VEHICLE RECHARGING EQUIPMENT REBATE PROGRAM UNDER § 9-2009**
10 **OF THE STATE GOVERNMENT ARTICLE;**

11 **(XXV) THE DEPARTMENT OF TRANSPORTATION FOR THE KIM**
12 **LAMPHIER BIKEWAYS NETWORK PROGRAM UNDER § 2-608 OF THE**
13 **TRANSPORTATION ARTICLE;**

14 **(XXVI) THE TRANSIT-ORIENTED DEVELOPMENT CAPITAL**
15 **GRANT AND REVOLVING LOAN FUND UNDER TITLE 7, SUBTITLE 12 OF THE**
16 **TRANSPORTATION ARTICLE;**

17 **(XXVII) THE DEPARTMENT IN HIRING ADDITIONAL STAFF IN**
18 **THE DEPARTMENT TO WORK ON INITIATIVES TO PROTECT OVERBURDENED AND**
19 **UNDERSERVED COMMUNITIES, AS DEFINED IN § 1-701 OF THIS ARTICLE, FROM THE**
20 **EFFECTS OF CLIMATE CHANGE THROUGH IMPROVEMENTS TO PERMITTING**
21 **PROCESSES, COMMUNITY OUTREACH EFFORTS, AND OTHER INITIATIVES;**

22 **(XXVIII) THE DEPARTMENT IN HIRING ADDITIONAL STAFF TO**
23 **SUPPORT THE DEPARTMENT'S CLIMATE CHANGE PROGRAM;**

24 **(XXIX) THE PUBLIC SERVICE COMMISSION IN HIRING**
25 **ADDITIONAL STAFF TO SUPPORT IMPLEMENTATION OF THE EMPOWER MARYLAND**
26 **PROGRAM; AND**

27 **(XXX) THE MARYLAND DEPARTMENT OF EMERGENCY**
28 **MANAGEMENT IN HIRING ENGINEERING STAFF FOR THE OFFICE OF RESILIENCY TO**
29 **WORK ON FLOOD-RELATED ISSUES.**

30 **(G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND**
31 **IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

1 **(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO**
2 **THE GENERAL FUND OF THE STATE.**

3 **(H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE**
4 **WITH THE STATE BUDGET.**

5 **(I) FOR EACH FISCAL YEAR, AT LEAST 40% OF FUNDING PROVIDED UNDER**
6 **THE FUND SHALL BE USED FOR PROJECTS THAT DIRECTLY BENEFIT COMMUNITIES**
7 **DISPROPORTIONATELY AFFECTED BY CLIMATE IMPACTS.**

8 **2-1706.**

9 **(A) THE DEPARTMENT SHALL ESTABLISH AND ADMINISTER A GRANT**
10 **PROGRAM FOR THE DISTRIBUTION OF FUNDS RECEIVED UNDER § 2-1705(F)(2) OF**
11 **THIS SUBTITLE TO LOCAL JURISDICTIONS FOR THE PURPOSE OF ASSISTING LOCAL**
12 **EFFORTS TO ADAPT TO AND MITIGATE THE EFFECTS OF CLIMATE CHANGE.**

13 **(B) THE DEPARTMENT SHALL ESTABLISH:**

14 **(1) APPLICATION PROCEDURES FOR THE GRANT PROGRAM;**

15 **(2) CRITERIA FOR PRIORITIZING APPLICATIONS UNDER THE GRANT**
16 **PROGRAM;**

17 **(3) PROCEDURES FOR AWARDING GRANTS UNDER THE GRANT**
18 **PROGRAM; AND**

19 **(4) ANY OTHER PROCEDURES OR CRITERIA NECESSARY TO CARRY**
20 **OUT THIS SECTION.**

21 **2-1707.**

22 **(A) ON OR BEFORE OCTOBER 1, 2026, THE DEPARTMENT SHALL ADOPT**
23 **REGULATIONS NECESSARY TO CARRY OUT THE PROGRAM.**

24 **(B) THE REGULATIONS SHALL INCLUDE:**

25 **(1) METHODOLOGIES USING THE BEST AVAILABLE SCIENCE TO**
26 **IDENTIFY RESPONSIBLE PARTIES AND DETERMINE RESPONSIBLE PARTIES'**
27 **APPLICABLE SHARES OF GREENHOUSE GAS EMISSIONS;**

28 **(2) RULES RELATING TO:**

1 **(I) REGISTERING ENTITIES DETERMINED TO BE RESPONSIBLE**
2 **PARTIES UNDER THE PROGRAM;**

3 **(II) ISSUING NOTICES OF COST RECOVERY DEMANDS THAT**
4 **SHALL INCLUDE:**

5 1. **THE COST RECOVERY DEMAND AMOUNT;**

6 2. **THE TIME AND MANNER IN WHICH COST RECOVERY**
7 **PAYMENTS MUST BE MADE;**

8 3. **THE CONSEQUENCES OF NONPAYMENT OR LATE**
9 **PAYMENT; AND**

10 4. **INFORMATION REGARDING THE RIGHT TO REQUEST A**
11 **CONTESTED CASE HEARING; AND**

12 **(III) ACCEPTING PAYMENTS FROM, PURSUING COLLECTION**
13 **EFFORTS AGAINST, AND NEGOTIATING SETTLEMENT AGREEMENTS WITH**
14 **RESPONSIBLE PARTIES; AND**

15 **(3) SUBJECT TO SUBSECTION (C) OF THIS SECTION, PROCEDURES**
16 **FOR IDENTIFYING CLIMATE CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE**
17 **PROJECTS ELIGIBLE TO RECEIVE QUALIFYING EXPENDITURES FROM THE FUND.**

18 **(C) (1) THE DEPARTMENT MAY BY REGULATION PROVIDE FOR CLIMATE**
19 **CHANGE ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECTS TO BE IDENTIFIED**
20 **FOR FUNDING THROUGH:**

21 **(I) LEGISLATIVE BUDGET APPROPRIATIONS;**

22 **(II) THE ISSUANCE OF REQUESTS FOR PROPOSALS FROM LOCAL**
23 **GOVERNMENTS, NONPROFIT ORGANIZATIONS, OR COMMUNITY GROUPS; OR**

24 **(III) ANY OTHER METHOD THE DEPARTMENT DEEMS**
25 **APPROPRIATE.**

26 **(2) THE DEPARTMENT SHALL ENSURE THAT AT LEAST 40% OF THE**
27 **QUALIFIED EXPENDITURES FROM THE PROGRAM GO TO CLIMATE CHANGE**
28 **ADAPTIVE OR MITIGATION INFRASTRUCTURE PROJECTS THAT DIRECTLY BENEFIT**
29 **COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE IMPACTS.**

30 **2-1708.**

1 (h) The Fund consists of:

2 (1) money appropriated in the State budget to the Fund;

3 (2) investment and interest earnings of the Fund;

4 (3) repayments of principal and interest from loans made from the Fund;

5 (4) money received from the Federal Emergency Management Agency;

6 [and]

7 (5) **MONEY RECEIVED FROM THE CLIMATE CHANGE ADAPTATION**
 8 **AND MITIGATION FUND IN ACCORDANCE WITH § 2-1705 OF THE ENVIRONMENT**
 9 **ARTICLE; AND**

10 (6) any other money from any other source accepted for the benefit of the
 11 Fund.

12 14-110.5.

13 (b) There is a State Disaster Recovery Fund.

14 (f) (1) The Governor may include in the annual budget bill an appropriation
 15 to the Fund.

16 (2) The Fund [shall consist] **CONSISTS** of:

17 (i) money appropriated in the State budget to the Fund;

18 (ii) repayments of principal and interest from loans made from the
 19 Fund;

20 (iii) reimbursements from the federal government or other legal
 21 entities for disaster recovery assistance expenditures made from the Fund;

22 (iv) **FUNDS RECEIVED FROM THE CLIMATE CHANGE**
 23 **ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2-1705 OF THE**
 24 **ENVIRONMENT ARTICLE;**

25 (v) interest earnings of the Fund; and

26 [(v)] (vi) any other money from any other source accepted for the
 27 benefit of the Fund.

28 **Article – State Government**

1 9–2012.

2 (b) There is an Energy Storage System Grant Program in the Administration.

3 (i) (1) There is an Energy Storage System Grant Fund.

4 (4) The Fund consists of:

5 (i) money appropriated in the State budget to the Fund; [and]

6 (ii) **MONEY RECEIVED FROM THE CLIMATE CHANGE**
7 **ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2–1705 OF THE**
8 **ENVIRONMENT ARTICLE; AND**

9 (iii) any other money from any other source accepted for the benefit
10 of the Fund.

11 9–2015.

12 (b) There is a Resiliency Hub Grant Program Fund.

13 (f) The Fund consists of:

14 (1) grant funding obtained under subsection (k) of this section;

15 (2) funds distributed to the Fund under § 9–20B–05 of this title and §§
16 2–110.1 and 13–201 of the Public Utilities Article;

17 (3) money appropriated in the State budget to the Fund;

18 (4) **MONEY RECEIVED FROM THE CLIMATE CHANGE ADAPTATION**
19 **AND MITIGATION FUND IN ACCORDANCE WITH § 2–1705 OF THE ENVIRONMENT**
20 **ARTICLE;**

21 (5) interest earnings; and

22 [(5)] (6) any other money from any other source accepted for the benefit
23 of the Fund.

24 9–20B–05.

25 (a) There is a Maryland Strategic Energy Investment Fund.

26 (e) The Fund consists of:

- 1 (i) Money appropriated in the State budget to the Fund;
- 2 (ii) Money made available for qualifying uses by the Fund from other
3 governmental sources, including eligible federal funding and the Transportation Trust
4 Fund;
- 5 (iii) **MONEY RECEIVED FROM THE CLIMATE CHANGE**
6 **ADAPTATION AND MITIGATION FUND IN ACCORDANCE WITH § 2-1705 OF THE**
7 **ENVIRONMENT ARTICLE;**
- 8 (IV) Ground rents or land sale proceeds in accordance with §
9 10-306(c)(2) of the State Finance and Procurement Article;
- 10 [(iv)] (V) Payments of principal of and interest on loans made under
11 this title;
- 12 [(v)] (VI) Investment earnings of the Fund; and
- 13 [(vi)] (VII) Any other money from any other source, public or private,
14 accepted for the benefit of the Fund.
- 15 (2) Contributions to the Fund under paragraph [(1)(iii)] (1)(IV) of this
16 subsection shall:
- 17 (i) Be separately accounted for in the Fund; and
- 18 (ii) Be used only for the benefit of transit-oriented developments in
19 the same county where the real property subject to the ground rent or land sale is located.
- 20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2025.