

HOUSE BILL 1161

P1

6lr1099

By: **Delegate Korman**

Introduced and read first time: February 11, 2026

Assigned to: Government, Labor, and Elections

A BILL ENTITLED

1 AN ACT concerning

2 **Board of Public Works – Contract Review – Climate and Sustainability**
3 **Information**
4 **(BPW Climate Transparency Act)**

5 FOR the purpose of requiring a State agency to provide certain climate and sustainability
6 information on submission of a certain contract award recommendation on proposed
7 public–private partnership agreements to the Board of Public Works; requiring
8 certain liaisons to the Board to ensure compliance with this Act; requiring the
9 climate and sustainability information to be placed on the Board agenda; requiring
10 the Department of General Services to issue certain guidance; and generally relating
11 to the Board of Public Works and climate and sustainability.

12 BY repealing and reenacting, without amendments,
13 Article – State Finance and Procurement
14 Section 10–101
15 Annotated Code of Maryland
16 (2021 Replacement Volume and 2025 Supplement)

17 BY adding to
18 Article – State Finance and Procurement
19 Section 10–208
20 Annotated Code of Maryland
21 (2021 Replacement Volume and 2025 Supplement)

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

24 **Article – State Finance and Procurement**

25 10–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 In this title, "Board" means the Board of Public Works.

2 **10-208.**

3 **(A) THIS SECTION APPLIES TO THE FOLLOWING CATEGORIES OF**
4 **CONTRACTS AND AGREEMENTS SUBMITTED TO THE BOARD FOR ITS APPROVAL:**

5 **(1) ARCHITECTURAL AND ENGINEERING SERVICES CONTRACTS;**

6 **(2) CONSTRUCTION CONTRACTS;**

7 **(3) ENERGY PERFORMANCE CONTRACTS;**

8 **(4) GENERAL MISCELLANEOUS CONTRACTS;**

9 **(5) LANDLORD LEASE CONTRACTS;**

10 **(6) TENANT LEASE CONTRACTS;**

11 **(7) MAINTENANCE CONTRACTS; AND**

12 **(8) PUBLIC-PRIVATE PARTNERSHIP AGREEMENTS.**

13 **(B) THE BOARD SHALL REQUIRE AN AGENCY TO PROVIDE, TO THE EXTENT**
14 **APPLICABLE, THE FOLLOWING CLIMATE AND SUSTAINABILITY INFORMATION ON**
15 **SUBMISSION OF A CONTRACT AWARD RECOMMENDATION OR PROPOSED**
16 **PUBLIC-PRIVATE PARTNERSHIP AGREEMENT TO THE BOARD:**

17 **(1) IF THE CONTRACT OR AGREEMENT CONTRIBUTES TO THE STATE'S**
18 **GREENHOUSE GAS EMISSIONS REDUCTION OR NET-ZERO CARBON GOALS, HOW**
19 **THOSE BENEFITS ARE ATTAINED;**

20 **(2) HOW THE CONTRACT OR AGREEMENT PROVIDES FOR RESILIENCE**
21 **AND ADAPTATION TO PROJECTED CLIMATE CHANGE AND EXTREME WEATHER**
22 **EVENTS OVER THE TERM OR THE USEFUL LIFE OF THE SUPPLIES OR SERVICES;**

23 **(3) HOW THE CONTRACT OR AGREEMENT ADVANCES THE STATE'S**
24 **GOALS AND LEADERSHIP ON CLIMATE MITIGATION, ADAPTATION, RESILIENCY, OR**
25 **INNOVATION FOR SUSTAINABLY SOURCED SUPPLIES OR SERVICES;**

26 **(4) WHAT PRODUCTS OR SERVICES IN THE CONTRACT OR AGREEMENT**
27 **ARE ENVIRONMENTALLY PREFERABLE, AS DEFINED BY THE MARYLAND GREEN**
28 **PURCHASING COMMITTEE UNDER § 14-410 OF THIS ARTICLE;**

1 **(5) HOW THE CONTRACT OR AGREEMENT INCORPORATES ASPECTS OF**
2 **DESIGN OR CONSTRUCTION THAT ARE CONSISTENT WITH THE STANDARDS ADOPTED**
3 **BY THE MARYLAND GREEN BUILDING COUNCIL;**

4 **(6) HOW THE CONTRACT OR AGREEMENT FULLY COMPLIES WITH THE**
5 **HIGH PERFORMANCE BUILDING REQUIREMENTS UNDER § 3-602.1 OF THIS ARTICLE;**
6 **AND**

7 **(7) HOW THE CONTRACT OR AGREEMENT IS CONSISTENT WITH THE**
8 **BUILDING ENERGY PERFORMANCE STANDARDS FOR PROJECTS THAT WOULD BE**
9 **COVERED BY THE BUILDING ENERGY PERFORMANCE STANDARDS UNDER § 2-1602**
10 **OF THE ENVIRONMENT ARTICLE.**

11 **(C) THE LIAISONS TO THE BOARD FROM THE OFFICES OF THE GOVERNOR,**
12 **THE COMPTROLLER, AND THE STATE TREASURER SHALL ENSURE THAT THE**
13 **INFORMATION REQUIRED IN THIS SECTION APPEARS ON THE AGENDA OF THE**
14 **BOARD WHEN THE CONTRACT IS TO BE CONSIDERED.**

15 **(D) THE SECRETARY OF THE BOARD MAY EXEMPT CONTRACTS OR**
16 **AGREEMENTS FROM THE PROVISIONS OF THIS SECTION IF THE SECRETARY**
17 **DETERMINES THAT THE REVIEW UNDER THIS SECTION IS NOT NECESSARY.**

18 **(E) THE DEPARTMENT OF GENERAL SERVICES SHALL ISSUE GUIDANCE TO**
19 **STATE AGENCIES ON COMPLYING WITH THE PROVISIONS OF THIS SECTION.**

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2026.