

SENATE BILL 923

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6lr2872

By: **Senator Harris**

Introduced and read first time: February 6, 2026

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Solar Photovoltaic Modules, Energy Storage, and Zero-Emission Vehicles –**
3 **Advisory Councils, Checkoff Programs, and Funds**

4 FOR the purpose of establishing the Maryland Solar Photovoltaic Module Energy Security
5 and Affordability Fund Advisory Council to support the marketing and promotion of
6 solar photovoltaic modules, including the creation of a certain checkoff program;
7 establishing the Maryland Solar Photovoltaic Module Energy Security and
8 Affordability Fund as a special, nonlapsing fund and requiring interest earnings of
9 the Maryland Solar Photovoltaic Module Energy Security and Affordability Fund to
10 be credited to the Maryland Solar Photovoltaic Module Energy Security and
11 Affordability Fund; establishing the Maryland Energy Storage and Affordability
12 Fund Advisory Council to support the marketing and promotion of energy storage
13 systems, including the creation of a certain checkoff program; establishing the
14 Maryland Energy Storage and Affordability Fund as a special, nonlapsing fund and
15 requiring interest earnings of the Maryland Energy Storage and Affordability Fund
16 to be credited to the Maryland Energy Storage and Affordability Fund; establishing
17 the Maryland Zero-Emission Vehicle Energy Security and Affordability Fund
18 Advisory Council to support the marketing and promotion of zero-emission vehicles,
19 including the creation of a certain checkoff program; establishing the Maryland
20 Zero-Emission Vehicle Energy Security and Affordability Fund as a special,
21 nonlapsing fund and requiring interest earnings of the Maryland Zero-Emission
22 Vehicle Energy Security and Affordability Fund to be credited to the Maryland
23 Zero-Emission Vehicle Energy Security and Affordability Fund; and generally
24 relating to the marketing and promotion of solar photovoltaic modules, energy
25 storage, and zero-emission vehicle technologies.

26 BY repealing and reenacting, without amendments,
27 Article – State Finance and Procurement
28 Section 6–226(a)(2)(i) and (ii)
29 Annotated Code of Maryland
30 (2021 Replacement Volume and 2025 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,
2 Article – State Finance and Procurement
3 Section 6–226(a)(2)(iii)212. and 213.
4 Annotated Code of Maryland
5 (2021 Replacement Volume and 2025 Supplement)

6 BY adding to
7 Article – State Finance and Procurement
8 Section 6–226(a)(2)(iii)214. through 216.
9 Annotated Code of Maryland
10 (2021 Replacement Volume and 2025 Supplement)

11 BY repealing and reenacting, without amendments,
12 Article – State Government
13 Section 9–2001
14 Annotated Code of Maryland
15 (2021 Replacement Volume and 2025 Supplement)

16 BY adding to
17 Article – State Government
18 Section 9–2018 through 9–2020
19 Annotated Code of Maryland
20 (2021 Replacement Volume and 2025 Supplement)

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

23 **Article – State Finance and Procurement**

24 6–226.

25 (a) (2) (i) This paragraph does not apply in fiscal years 2024 through 2028.

26 (ii) Notwithstanding any other provision of law, and unless
27 inconsistent with a federal law, grant agreement, or other federal requirement or with the
28 terms of a gift or settlement agreement, net interest on all State money allocated by the
29 State Treasurer under this section to special funds or accounts, and otherwise entitled to
30 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
31 Fund of the State.

32 (iii) The provisions of subparagraph (ii) of this paragraph do not
33 apply to the following funds:

34 212. the Department of Social and Economic Mobility Special
35 Fund; [and]

213. the Population Health Improvement Fund;

**214. THE MARYLAND SOLAR PHOTOVOLTAIC MODULE
ENERGY SECURITY AND AFFORDABILITY FUND;**

**215. THE MARYLAND ENERGY STORAGE AND
AFFORDABILITY FUND; AND**

**216. THE MARYLAND ZERO-EMISSION VEHICLE ENERGY
SECURITY AND AFFORDABILITY FUND.**

Article – State Government

9–2001.

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

(b) “Administration” means the Maryland Energy Administration.

(c) “Director” means the Director of the Maryland Energy Administration.

9–2018.

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
INDICATED.**

(2) “CHAIR” MEANS THE CHAIR OF THE COUNCIL.

**(3) “COUNCIL” MEANS THE MARYLAND SOLAR PHOTOVOLTAIC
MODULE ENERGY SECURITY AND AFFORDABILITY FUND ADVISORY COUNCIL.**

**(4) “FUND” MEANS THE MARYLAND SOLAR PHOTOVOLTAIC MODULE
ENERGY SECURITY AND AFFORDABILITY FUND.**

**(B) (1) THERE IS A MARYLAND SOLAR PHOTOVOLTAIC MODULE
ENERGY SECURITY AND AFFORDABILITY FUND ADVISORY COUNCIL.**

(2) THE COUNCIL CONSISTS OF THE FOLLOWING MEMBERS:

**(I) FIVE REPRESENTATIVES OF THE MANUFACTURERS, RETAIL
SELLERS, OR INSTALLERS OF SOLAR PHOTOVOLTAIC MODULES, DESIGNATED BY
THE CHAIR OF THE COUNCIL;**

(II) TWO REPRESENTATIVES OF STAKEHOLDER

1 ORGANIZATIONS THAT ARE DIRECTLY RELATED TO THE PRODUCTION, ASSEMBLY,
2 OR DEVELOPMENT OF SOLAR PHOTOVOLTAIC MODULES, DESIGNATED BY THE
3 CHAIR OF THE COUNCIL; AND

4 (III) AS AN EX OFFICIO MEMBER, THE DIRECTOR OR THE
5 DIRECTOR'S DESIGNEE.

6 (3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE
7 TERM OF OFFICE OF EACH DESIGNATED MEMBER IS 5 YEARS.

8 (II) 1. THE TERM OF A DESIGNATED MEMBER SHALL BE
9 STAGGERED, AS PROVIDED BY THE CHAIR.

10 2. AN INITIAL TERM OF A DESIGNATED MEMBER MAY
11 NOT EXCEED MORE THAN 5 YEARS.

12 (III) A DESIGNATED MEMBER MAY NOT SERVE MORE THAN 2
13 TERMS.

14 (IV) AT THE END OF A TERM, A DESIGNATED MEMBER
15 CONTINUES TO SERVE UNTIL A SUCCESSOR IS DESIGNATED.

16 (V) A MEMBER WHO IS DESIGNATED AFTER A TERM HAS BEGUN
17 SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS DESIGNATED.

18 (4) THE DIRECTOR OR THE DIRECTOR'S DESIGNEE SHALL SERVE AS
19 THE CHAIR OF THE COUNCIL.

20 (5) (I) THE ADMINISTRATION SHALL PROVIDE STAFF FOR THE
21 COUNCIL.

22 (II) THE ADMINISTRATION IS ENTITLED TO UP TO 5% OF THE
23 FEES DEPOSITED INTO THE FUND TO REIMBURSE THE ADMINISTRATION FOR THE
24 COSTS OF PROVIDING STAFF TO THE COUNCIL.

25 (6) A MEMBER OF THE COUNCIL:

26 (I) SHALL RECEIVE \$100 PER DAY, FOR A MAXIMUM OF 36 DAYS
27 PER YEAR, FOR EACH DAY SPENT IN ATTENDANCE AT MEETINGS OF THE COUNCIL
28 OR ON THE BUSINESS OF THE COUNCIL; AND

29 (II) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER
30 THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE

1 BUDGET.

2 (C) THE COUNCIL SHALL:

3 (1) PROVIDE FUNDING FOR THE CREATION AND PUBLICATION OF
4 RESEARCH, COMMUNICATION, MARKETING, AND EDUCATIONAL CAMPAIGNS THAT:

5 (I) ARE ALIGNED WITH THE STATE'S CLEAN ENERGY GOALS;

6 (II) COMBAT MISINFORMATION RELATED TO SOLAR
7 PHOTOVOLTAIC TECHNOLOGY; AND

8 (III) EMPHASIZE THE BENEFITS AND AFFORDABILITY OF SOLAR
9 PHOTOVOLTAIC MODULES;

10 (2) COOPERATE WITH ANY LOCAL, STATE, OR NATIONAL
11 ORGANIZATION THAT IS ENGAGED IN THE PROMOTION OF SOLAR PHOTOVOLTAIC
12 MODULES;

13 (3) MAKE RECOMMENDATIONS TO THE ADMINISTRATION REGARDING
14 POSSIBLE CONTRACTS OR AGREEMENTS WITH AN ENTITY IDENTIFIED IN ITEM (2) OF
15 THIS SUBSECTION TO CARRY OUT JOINT RESEARCH, COMMUNICATION, MARKETING,
16 OR EDUCATIONAL CAMPAIGNS; AND

17 (4) SUBJECT TO THE APPROVAL OF THE ADMINISTRATION, CONDUCT
18 ANY ACTIVITIES TO CARRY OUT ANY CAMPAIGNS UNDER ITEM (1) OF THIS
19 SUBSECTION.

20 (D) THE CHAIR MAY ESTABLISH A CHECKOFF PROGRAM THAT APPLIES TO
21 SOLAR PHOTOVOLTAIC MODULES OR OTHER TECHNOLOGIES PROPOSED BY THE
22 COUNCIL.

23 (E) (1) THERE IS A MARYLAND SOLAR PHOTOVOLTAIC MODULE
24 ENERGY SECURITY AND AFFORDABILITY FUND.

25 (2) THE PURPOSE OF THE FUND IS TO PROVIDE FUNDING TO THE
26 COUNCIL TO CARRY OUT THE DUTIES OF THE CHAIR AND THE COUNCIL UNDER
27 SUBSECTIONS (C) AND (D) OF THIS SECTION.

28 (3) THE COUNCIL SHALL ADMINISTER THE FUND.

29 (4) (I) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
30 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(II) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(5) THE FUND CONSISTS OF:

(I) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

(II) FEES PAID BY SOLAR PHOTOVOLTAIC MANUFACTURERS AND RETAILERS UNDER SUBSECTION (F)(2) OF THIS SECTION;

(III) INTEREST EARNINGS; AND

(IV) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(6) THE FUND MAY BE USED ONLY FOR THE PURPOSES OF THE COUNCIL UNDER SUBSECTIONS (C) AND (D) OF THIS SECTION.

(7) (I) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(II) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.

(F) (1) ANY MONEY APPROPRIATED TO THE FUND IN THE STATE BUDGET SHALL BE REPAID TO THE STATE FROM THE PROCEEDS OF THE FEE ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(2) (I) THE ADMINISTRATION SHALL IMPOSE A FEE OF \$0.02 PER WATT OF GENERATING CAPACITY ON SOLAR PHOTOVOLTAIC MODULES SOLD FOR INSTALLATION IN THE STATE.

(II) THE FEE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH APPLIES TO:

1. WHOLESALE AND RETAIL TRANSACTIONS, INCLUDING ONLINE TRANSACTIONS TO BE SHIPPED TO A MARYLAND ADDRESS; AND

2. PURCHASES MADE BY INDIVIDUALS, BUSINESSES, GOVERNMENTAL AGENCIES, AND ELECTRIC COMPANIES.

(III) THE COUNCIL MAY ADJUST THE FEE IMPOSED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH:

1. EVERY 2 YEARS; AND

2. IN ACCORDANCE WITH INFLATION AND THE NEEDS OF THE COUNCIL.

(IV) THE FEE IMPOSED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IN ANY SALE MAY NOT EXCEED THE LESSER OF:

1. 0.5% OF THE WHOLESALE VALUE OF THE SOLAR PHOTOVOLTAIC MODULE SOLD; OR

2. AN AMOUNT SUFFICIENT TO PAY FOR THE REASONABLE COSTS OF THE COUNCIL.

9–2019.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “CHAIR” MEANS THE CHAIR OF THE COUNCIL.

(3) “COUNCIL” MEANS THE MARYLAND ENERGY STORAGE AND AFFORDABILITY FUND ADVISORY COUNCIL.

(4) “ELECTRIC COMPANY” HAS THE MEANING STATED IN § 1–101 OF THE PUBLIC UTILITIES ARTICLE.

(5) “ENERGY STORAGE SYSTEM” MEANS A COMMERCIALY AVAILABLE TECHNOLOGY THAT IS:

(I) CAPABLE OF ABSORBING ENERGY, STORING THE ENERGY FOR A PERIOD OF TIME, AND THEREAFTER DISPATCHING THE ENERGY; AND

(II) 1. CENTRALIZED OR DISTRIBUTED; OR

2. OWNED BY AN ELECTRIC COMPANY, A RETAIL ELECTRIC CUSTOMER, OR A THIRD PARTY.

(6) “FUND” MEANS THE MARYLAND ENERGY STORAGE AND AFFORDABILITY FUND.

1 (7) “RETAIL ELECTRIC CUSTOMER” HAS THE MEANING STATED IN §
2 1–101 OF THE PUBLIC UTILITIES ARTICLE.

3 (B) (1) THERE IS A MARYLAND ENERGY STORAGE AND AFFORDABILITY
4 FUND ADVISORY COUNCIL.

5 (2) THE COUNCIL CONSISTS OF THE FOLLOWING MEMBERS:

6 (I) AT LEAST FIVE REPRESENTATIVES OF THE
7 MANUFACTURERS, RETAIL SELLERS, OR INSTALLERS OF ENERGY STORAGE
8 SYSTEMS, DESIGNATED BY THE CHAIR;

9 (II) AT LEAST TWO REPRESENTATIVES OF STAKEHOLDER
10 ORGANIZATIONS THAT ARE DIRECTLY RELATED TO THE PRODUCTION, ASSEMBLY,
11 OR DEVELOPMENT OF ENERGY STORAGE SYSTEMS, DESIGNATED BY THE CHAIR; AND

12 (III) AS AN EX OFFICIO MEMBER, THE DIRECTOR, OR THE
13 DIRECTOR’S DESIGNEE.

14 (3) (1) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE
15 TERM OF OFFICE OF EACH DESIGNATED MEMBER IS 5 YEARS.

16 (II) 1. THE TERM OF A DESIGNATED MEMBER SHALL BE
17 STAGGERED AS PROVIDED BY THE CHAIR.

18 2. AN INITIAL TERM OF A DESIGNATED MEMBER MAY
19 NOT EXCEED 5 YEARS.

20 (III) A DESIGNATED MEMBER MAY NOT SERVE MORE THAN 2
21 TERMS.

22 (IV) AT THE END OF A TERM, A DESIGNATED MEMBER
23 CONTINUES TO SERVE UNTIL A SUCCESSOR IS DESIGNATED.

24 (V) A MEMBER WHO IS DESIGNATED AFTER A TERM HAS BEGUN
25 SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS DESIGNATED.

26 (4) THE DIRECTOR, OR THE DIRECTOR’S DESIGNEE, SHALL SERVE AS
27 THE CHAIR OF THE COUNCIL.

28 (5) (1) THE ADMINISTRATION SHALL PROVIDE STAFF FOR THE
29 COUNCIL.

1 **(II) THE ADMINISTRATION IS ENTITLED TO UP TO 5% OF THE**
2 **FEES DEPOSITED INTO THE FUND TO REIMBURSE THE ADMINISTRATION FOR THE**
3 **COSTS OF PROVIDING STAFF TO THE COUNCIL.**

4 **(6) A MEMBER OF THE COUNCIL:**

5 **(I) SHALL RECEIVE \$100 PER DAY, FOR A MAXIMUM OF 36 DAYS**
6 **PER YEAR, FOR EACH DAY SPENT IN ATTENDANCE AT MEETINGS OF THE COUNCIL**
7 **OR ON THE BUSINESS OF THE COUNCIL; AND**

8 **(II) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER**
9 **THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE**
10 **BUDGET.**

11 **(C) THE COUNCIL SHALL:**

12 **(1) PROVIDE FUNDING FOR THE CREATION AND PUBLICATION OF**
13 **RESEARCH, COMMUNICATION, MARKETING, AND EDUCATIONAL CAMPAIGNS THAT:**

14 **(I) ARE ALIGNED WITH THE STATE'S CLEAN ENERGY GOALS;**

15 **(II) COMBAT MISINFORMATION RELATED TO ENERGY STORAGE**
16 **SYSTEMS; AND**

17 **(III) EMPHASIZE THE BENEFITS AND AFFORDABILITY OF**
18 **ENERGY STORAGE SYSTEMS;**

19 **(2) COOPERATE WITH ANY LOCAL, STATE, OR NATIONAL ENTITY THAT**
20 **IS ENGAGED IN THE PROMOTION OF ENERGY STORAGE SYSTEMS;**

21 **(3) MAKE RECOMMENDATIONS TO THE ADMINISTRATION REGARDING**
22 **POSSIBLE CONTRACTS OR AGREEMENTS WITH AN ENTITY IDENTIFIED IN ITEM (2) OF**
23 **THIS SUBSECTION TO CARRY OUT JOINT RESEARCH, COMMUNICATION, MARKETING,**
24 **OR EDUCATIONAL CAMPAIGNS; AND**

25 **(4) SUBJECT TO THE APPROVAL OF THE ADMINISTRATION, CONDUCT**
26 **ANY ACTIVITIES TO CARRY OUT ANY CAMPAIGNS UNDER ITEM (1) OF THIS**
27 **SUBSECTION.**

28 **(D) THE CHAIR MAY ESTABLISH A CHECKOFF PROGRAM THAT APPLIES TO**
29 **ENERGY STORAGE SYSTEMS OR OTHER TECHNOLOGIES PROPOSED BY THE**
30 **COUNCIL.**

1 **(E) (1) THERE IS A MARYLAND ENERGY STORAGE AND AFFORDABILITY**
2 **FUND.**

3 **(2) THE PURPOSE OF THE FUND IS TO PROVIDE FUNDING TO THE**
4 **COUNCIL TO CARRY OUT THE DUTIES OF THE COUNCIL UNDER SUBSECTIONS (C)**
5 **AND (D) OF THIS SECTION.**

6 **(3) THE COUNCIL SHALL ADMINISTER THE FUND.**

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

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

11 **(5) THE FUND CONSISTS OF:**

12 **(I) MONEY APPROPRIATED IN THE STATE BUDGET TO THE**
13 **FUND;**

14 **(II) FEES PAID BY ENERGY STORAGE MANUFACTURERS AND**
15 **RETAILERS UNDER SUBSECTION (F)(2) OF THIS SECTION;**

16 **(III) INTEREST EARNINGS; AND**

17 **(IV) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED**
18 **FOR THE BENEFIT OF THE FUND.**

19 **(6) THE FUND MAY BE USED ONLY FOR THE PURPOSES OF THE**
20 **COUNCIL UNDER SUBSECTIONS (C) AND (D) OF THIS SECTION.**

21 **(7) (I) THE STATE TREASURER SHALL INVEST THE MONEY OF THE**
22 **FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

23 **(II) ANY INTEREST EARNINGS OF THE FUND SHALL BE**
24 **CREDITED TO THE FUND.**

25 **(F) (1) ANY MONEY APPROPRIATED TO THE FUND IN THE STATE BUDGET**
26 **SHALL BE REPAID TO THE STATE FROM THE PROCEEDS OF THE FEE ESTABLISHED**
27 **UNDER PARAGRAPH (2) OF THIS SUBSECTION.**

28 **(2) (I) THE ADMINISTRATION SHALL IMPOSE A FEE OF \$5 PER**

1 KILOWATT-HOUR OF STORAGE CAPACITY ON ENERGY STORAGE SYSTEMS SOLD FOR
2 INSTALLATION IN THE STATE.

3 (II) THE FEE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH
4 APPLIES TO:

5 1. WHOLESALE AND RETAIL TRANSACTIONS, INCLUDING
6 ONLINE TRANSACTIONS TO BE SHIPPED TO A MARYLAND ADDRESS; AND

7 2. PURCHASES MADE BY INDIVIDUALS, BUSINESSES,
8 GOVERNMENT AGENCIES, AND ELECTRIC COMPANIES.

9 (III) THE COUNCIL MAY ADJUST THE FEE IMPOSED UNDER
10 SUBPARAGRAPH (I) OF THIS PARAGRAPH:

11 1. EVERY 2 YEARS; AND

12 2. IN ACCORDANCE WITH INFLATION AND THE NEEDS OF
13 THE COUNCIL.

14 (IV) THE FEE IMPOSED UNDER SUBPARAGRAPH (I) OF THIS
15 PARAGRAPH IN ANY SALE MAY NOT EXCEED THE LESSER OF:

16 1. 0.5% OF THE WHOLESALE VALUE OF THE ENERGY
17 STORAGE SYSTEM SOLD; OR

18 2. AN AMOUNT SUFFICIENT TO PAY FOR THE
19 REASONABLE COSTS OF THE COUNCIL.

20 9-2020.

21 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
22 INDICATED.

23 (2) "CHAIR" MEANS THE CHAIR OF THE COUNCIL.

24 (3) "COUNCIL" MEANS THE MARYLAND ZERO-EMISSION VEHICLE
25 ENERGY SECURITY AND AFFORDABILITY FUND ADVISORY COUNCIL.

26 (4) "FUND" MEANS THE MARYLAND ZERO-EMISSION VEHICLE
27 ENERGY SECURITY AND AFFORDABILITY FUND.

28 (B) (1) THERE IS A MARYLAND ZERO-EMISSION VEHICLE ENERGY

SECURITY AND AFFORDABILITY FUND ADVISORY COUNCIL.

(2) THE COUNCIL CONSISTS OF THE FOLLOWING MEMBERS:

(I) AT LEAST FIVE REPRESENTATIVES OF THE MANUFACTURERS, RETAIL SELLERS, OR INSTALLERS OF ZERO-EMISSION VEHICLES, DESIGNATED BY THE CHAIR;

(II) AT LEAST TWO REPRESENTATIVES OF STAKEHOLDER ORGANIZATIONS THAT ARE DIRECTLY RELATED TO THE PRODUCTION, ASSEMBLY, OR DEVELOPMENT OF ZERO-EMISSION VEHICLES, DESIGNATED BY THE CHAIR; AND

(III) AS AN EX OFFICIO MEMBER, THE DIRECTOR, OR THE DIRECTOR'S DESIGNEE.

(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE TERM OF OFFICE OF EACH MEMBER IS 5 YEARS.

(II) 1. THE TERM OF A DESIGNATED MEMBER SHALL BE STAGGERED AS PROVIDED BY THE CHAIR.

2. AN INITIAL TERM OF A DESIGNATED MEMBER MAY NOT EXCEED 5 YEARS.

(III) A MEMBER MAY NOT SERVE MORE THAN 2 TERMS.

(IV) AT THE END OF A TERM, A DESIGNATED MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS DESIGNATED.

(V) A MEMBER WHO IS DESIGNATED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS DESIGNATED.

(4) THE DIRECTOR, OR THE DIRECTOR'S DESIGNEE, SHALL SERVE AS THE CHAIR OF THE COUNCIL.

(5) (I) THE ADMINISTRATION SHALL PROVIDE STAFF FOR THE COUNCIL.

(II) THE ADMINISTRATION IS ENTITLED TO UP TO 5% OF THE FEES DEPOSITED INTO THE FUND TO REIMBURSE THE ADMINISTRATION FOR THE COSTS OF PROVIDING STAFF TO THE COUNCIL.

(6) A MEMBER OF THE COUNCIL:

1 (I) SHALL RECEIVE \$100 PER DAY, FOR A MAXIMUM OF 36 DAYS
2 PER YEAR, FOR EACH DAY SPENT IN ATTENDANCE AT MEETINGS OF THE COUNCIL
3 OR ON THE BUSINESS OF THE COUNCIL; AND

4 (II) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER
5 THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE
6 BUDGET.

7 (C) THE COUNCIL SHALL:

8 (1) PROVIDE FUNDING FOR THE CREATION AND PUBLICATION OF
9 RESEARCH, COMMUNICATION, MARKETING, AND EDUCATIONAL CAMPAIGNS THAT:

10 (I) ARE ALIGNED WITH THE STATE'S CLEAN ENERGY GOALS;

11 (II) COMBAT MISINFORMATION RELATED TO ZERO-EMISSION
12 VEHICLES; AND

13 (III) EMPHASIZE THE BENEFITS AND AFFORDABILITY OF
14 ZERO-EMISSION VEHICLES;

15 (2) COOPERATE WITH ANY LOCAL, STATE, OR NATIONAL
16 ORGANIZATION THAT IS ENGAGED IN THE PROMOTION OF ZERO-EMISSION
17 VEHICLES;

18 (3) MAKE RECOMMENDATIONS TO THE ADMINISTRATION REGARDING
19 POSSIBLE CONTRACTS OR AGREEMENTS WITH AN ENTITY IDENTIFIED IN ITEM (2) OF
20 THIS SUBSECTION TO CARRY OUT JOINT RESEARCH, COMMUNICATION, MARKETING,
21 OR EDUCATIONAL CAMPAIGNS; AND

22 (4) SUBJECT TO THE APPROVAL OF THE ADMINISTRATION, CONDUCT
23 ANY ACTIVITIES TO CARRY OUT ANY CAMPAIGNS UNDER ITEM (1) OF THIS
24 SUBSECTION.

25 (D) THE CHAIR MAY ESTABLISH A CHECKOFF PROGRAM THAT APPLIES TO
26 ZERO-EMISSION VEHICLES OR OTHER TECHNOLOGIES PROPOSED BY THE COUNCIL.

27 (E) (1) THERE IS A MARYLAND ZERO-EMISSION VEHICLE ENERGY
28 SECURITY AND AFFORDABILITY FUND.

29 (2) THE PURPOSE OF THE FUND IS TO PROVIDE FUNDING TO THE
30 COUNCIL TO CARRY OUT THE DUTIES OF THE COUNCIL AND THE CHAIR UNDER

1 SUBSECTIONS (C) AND (D) OF THIS SECTION.

2 (3) THE COUNCIL SHALL ADMINISTER THE FUND.

3 (4) (I) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
4 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

5 (II) THE STATE TREASURER SHALL HOLD THE FUND
6 SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

7 (5) THE FUND CONSISTS OF:

8 (I) MONEY APPROPRIATED IN THE STATE BUDGET TO THE
9 FUND;

10 (II) FEES PAID BY ZERO-EMISSION VEHICLE MANUFACTURERS
11 AND RETAILERS UNDER SUBSECTION (F)(2) OF THIS SECTION;

12 (III) INTEREST EARNINGS; AND

13 (IV) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED
14 FOR THE BENEFIT OF THE FUND.

15 (6) THE FUND MAY BE USED ONLY FOR THE PURPOSES OF THE
16 COUNCIL UNDER SUBSECTIONS (C) AND (D) OF THIS SECTION.

17 (7) (I) THE STATE TREASURER SHALL INVEST THE MONEY OF THE
18 FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

19 (II) ANY INTEREST EARNINGS OF THE FUND SHALL BE
20 CREDITED TO THE FUND.

21 (F) (1) ANY MONEY APPROPRIATED TO THE FUND IN THE STATE BUDGET
22 SHALL BE REPAID TO THE STATE FROM THE PROCEEDS OF THE FEE ESTABLISHED
23 UNDER PARAGRAPH (2) OF THIS SUBSECTION.

24 (2) (I) THE ADMINISTRATION SHALL IMPOSE A FEE OF \$200 FOR
25 EACH ZERO-EMISSION VEHICLE SOLD IN THE STATE.

26 (II) THE FEE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH
27 APPLIES TO:

28 1. WHOLESALE AND RETAIL TRANSACTIONS, INCLUDING

1 ONLINE TRANSACTIONS TO BE SHIPPED TO A MARYLAND ADDRESS; AND

2 2. PURCHASES MADE BY INDIVIDUALS, BUSINESSES,
3 GOVERNMENT AGENCIES, AND ELECTRIC COMPANIES.

4 (III) THE COUNCIL MAY ADJUST THE FEE IMPOSED UNDER
5 SUBPARAGRAPH (I) OF THIS PARAGRAPH:

6 1. EVERY 2 YEARS; AND

7 2. IN ACCORDANCE WITH INFLATION AND THE NEEDS OF
8 THE COUNCIL.

9 (IV) THE FEE IMPOSED UNDER SUBPARAGRAPH (I) OF THIS
10 PARAGRAPH IN ANY SALE MAY NOT EXCEED THE LESSER OF:

11 1. 0.5% OF THE WHOLESALE VALUE OF THE
12 ZERO-EMISSION VEHICLE SOLD; OR

13 2. AN AMOUNT SUFFICIENT TO PAY FOR THE
14 REASONABLE COSTS OF THE COUNCIL.

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