SB 23

Department of Legislative Services

Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 23 (Senator Kagan)
Budget and Taxation

Green and Renewable Energy Efficiency for Nonprofits (GREEN) Loan Program and Fund - Establishment

---

This bill establishes a Green and Renewable Energy Efficiency for Nonprofits Loan Program in the Maryland Clean Energy Center (MCEC) and authorizes (1) transfers of money from the Strategic Energy Investment Fund (SEIF) to support the program and (2) specified appropriations for the program for fiscal 2028 and 2029. **An uncodified provision requiring MCEC to establish an application process, guidelines, considerations, and an advertising campaign for the program, takes effect July 1, 2026; other provisions relating to the program take effect July 1, 2027.**

Fiscal Summary

State Effect: General fund expenditures increase by $140,000 in FY 2027 only. Special fund (SEIF) expenditures increase by $5.0 million in FY 2028 and by a potentially significant amount in FY 2029 (as much as $5.0 million or more).

(in dollars)	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Revenue	$0	$0	$0	$0	$0
GF Expenditure	$140,000	$0	$0	$0	$0
SF Expenditure	$0	$5,000,000	-	$0	$0
Net Effect	($140,000)	($5,000,000)	(-)	$0	$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: The bill does not directly affect local government finances.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary:

Green and Renewable Energy Efficiency for Nonprofits Loan Program

The stated purpose of the Green and Renewable Energy Efficiency for Nonprofits Loan Program is to provide financial assistance in the form of no-interest loans to nonprofit organizations for (1) the planning, purchase, and installation of qualifying energy systems in the State and (2) actions that improve energy efficiency, such as repairing or replacing windows, doors, and heating, ventilation, and air-conditioning systems and other similar improvements. MCEC must (1) manage, supervise, and administer the program; (2) adopt regulations to ensure that loans provided to nonprofit organizations carry out the purpose of the program; and (3) attach specific terms to any loan that are considered necessary to ensure that the purpose of the program is fulfilled.

To receive a loan under the program, a borrower must file an application with MCEC. The application must contain any information MCEC determines is necessary, including (1) the projected cost of the qualifying energy system, energy efficiency action, or technical assistance being financed through the loan; (2) the location of the property where the qualifying energy system will be installed or an energy efficiency action will occur and whether the property is owned or leased by the applicant; and (3) any additional information relating to the borrower or the proposed qualifying energy system or energy efficiency action being financed through the loan that may be required by MCEC in order to administer the program. An uncodified provision of the bill requires MCEC, by July 1, 2027, to (1) establish an application process for loans made under the program; (2) set guidelines and considerations for application, selection, and repayment, as specified; and (3) develop and implement an advertising campaign for the program.

In approving an application, MCEC must consider and give priority to an applicant that has an annual budget of $1.0 million or less.

Loans from the Green and Renewable Energy Efficiency for Nonprofits Loan Fund (discussed below), that supports the program, may be used for (1) the purchase and installation of a qualifying energy system, including any necessary ancillary machinery, equipment, or furnishings; (2) technical assistance for the planning and installation of a qualifying energy system; and (3) actions that improve energy efficiency. MCEC may approve an application for a loan for the purchase and installation of a qualifying energy system only if the application demonstrates that the proposed qualifying energy system or energy efficiency action is estimated, based on projected energy costs, to generate energy cost savings over the useful life of the system or action that equal or exceed the total amortized cost of the loan. Each borrower, for a loan for the purchase and installation of a qualifying energy system, must contribute at least 10% of the cost of the qualifying energy system or energy efficiency action. Loans made under the program must be repayable by the borrower in accordance with a schedule set by MCEC, which may be on a deferred payment basis. A borrower must provide assurances for the repayment of a loan that (1) must include a promissory note and (2) may include a plan for repayment.

Loans may be made in conjunction with, or in addition to, financial assistance provided through other State or federal programs.

Green and Renewable Energy Efficiency for Nonprofits Loan Fund

The bill establishes a Green and Renewable Energy Efficiency for Nonprofits Loan Fund administered by MCEC. The fund consists of (1) money appropriated in the State budget to the program; (2) money transferred from SEIF; (3) money received from any public or private source; (4) interest and investment earnings of the fund; and (5) repayments and prepayments on loans made from the fund. The State Treasurer must hold the fund separately and the Comptroller must account for the fund.

In fiscal 2028, the bill authorizes the Governor to include in the annual budget bill an appropriation of $5.0 million for the fund. In fiscal 2029, the Governor is authorized to include in the annual budget bill an appropriation equal to at least $5.0 million minus the amount in the fund as of June 30 of the immediately preceding fiscal year.

The fund may only be used to pay the expenses of the program and provide loans to eligible borrowers under the program. The State Treasurer must invest and reinvest the money of the fund in the same manner as other State money may be invested. Any investment earnings of the fund must be paid into the fund. In addition, any repayment on loans made from the fund must be paid into the fund.

Selected Definitions

"Nonprofit organization" means an organization that is exempt from federal income tax under § 501(c)(3) of the Internal Revenue Code.

"Qualifying energy system" means a system that (1) generates electricity or usable thermal energy that is used to meet on-site demand and (2) assists the State in meeting the environmental and greenhouse gas reduction goals under Title 2, Subtitle 12 of the Environment Article of the Maryland Code.

Current Law:

Jane E. Lawton Conservation Loan Program

The stated purpose of the Jane E. Lawton Conservation Loan Program within the Maryland Energy Administration (MEA) is to provide financial assistance in the form of low-interest and zero-interest loans to nonprofit organizations, local jurisdictions, State agencies, and eligible businesses for projects to (1) promote energy conservation; (2) reduce consumption of fossil fuels; (3) improve energy efficiency; (4) enhance energy-related economic development and stability in the nonprofit, commercial, and industrial sectors; and (5) reduce greenhouse gas emissions.

Maryland Clean Energy Center

MCEC was established by Chapter 137 of 2008 as a body politic and corporate and an instrumentality of the State. The purpose of MCEC is to (1) promote economic development and jobs in the clean energy industry sector; (2) promote the deployment of clean energy technology; (3) serve as an incubator for the development of the clean energy industry; (4) in collaboration with MEA, collect, analyze, and disseminate industry data; (5) provide outreach and technical support to further the clean energy industry; and (6) work as a green bank and in conjunction with local and private green banks. MCEC may make grants or provide equity investment financing to clean energy technology-based businesses and may borrow money and issue bonds consistent with its purpose.

Strategic Energy Investment Fund

Chapters 127 and 128 of 2008 created the Maryland Strategic Energy Investment Program in MEA, and the implementing SEIF (administered by MEA), to decrease energy demand and increase energy supply to promote affordable, reliable, and clean energy. SEIF is primarily funded through the proceeds from the auction of carbon allowances under the Regional Greenhouse Gas Initiative (RGGI), and the fund also receives revenues from compliance fees – often referred to as alternative compliance payments (ACPs) – generated under the State's Renewable Energy Portfolio Standard (RPS).

RGGI proceeds must be used for the following purposes: (1) at least 50% for energy assistance programs in the Department of Human Services; (2) at least 20% for energy efficiency and conservation (at least one-half of which must be used for low- and moderate-income programs); (3) at least 20% for renewable and clean energy programs, energy-related education and outreach, and climate change and resiliency programs; and (4) up to 10% but no more than $7.5 million for administrative expenses.

ACP revenues primarily must be used to support the creation of new renewable energy sources in the State that are owned by or directly benefit low- to moderate-income, overburdened, or underserved communities. For fiscal 2026 only, up to $100.0 million of ACP revenues may be used for solar development on State government property and local government clean energy projects. Additionally, through the end of fiscal 2027, at least 20% of ACP revenues resulting from solar energy requirements under the RPS must be used to provide grants to support the installation of new solar energy generating systems under the Customer-Sited Solar Program.

State Fiscal Effect:

General Fund Expenditures – Fiscal 2027

General fund expenditures increase by $140,000 in fiscal 2027 only, reflecting the level of funding needed by MCEC (a nonbudgeted entity, as discussed below under Additional Comments) in fiscal 2027 to develop and advertise the program pursuant to the uncodified provision of the bill that takes effect July 1, 2026. MCEC advises that it needs this funding in fiscal 2027 to (1) hire a part-time program manager and (2) cover legal and accounting expenses associated with establishing the program. When the remainder of the bill, including the establishment of the Green and Renewable Energy Efficiency for Nonprofits Loan Fund, takes effect July 1, 2027, MCEC's costs incurred to administer the program are assumed to be covered by expenditures from the Green and Renewable Energy Efficiency for Nonprofits Loan Fund, as described further below.

Strategic Energy Investment Fund Expenditures – Fiscal 2028 and Future Years

SEIF expenditures increase by (1) $5.0 million in fiscal 2028, reflecting the authorized appropriation for the Green and Renewable Energy Efficiency for Nonprofits Loan Fund and (2) a potentially significant amount in fiscal 2029 (as much as $5.0 million or more), reflecting the second authorized appropriation. This analysis assumes that the authorized appropriations are supported by SEIF transfers.

The Department of Legislative Services notes that the precise minimum amount the bill authorizes to be appropriated in the annual budget bill for fiscal 2029 (which is based on the balance in the fund on June 30, 2028) will not be known when the fiscal 2029 budget is developed and enacted (over the course of calendar 2027 and early calendar 2028).

While this bill does not expressly reallocate other, existing SEIF revenues/spending in order to support transfers made under the bill, the net impact of the bill on SEIF expenditures may be less than the amounts identified if MEA reduces other existing or planned SEIF spending as a result of the bill.

Green and Renewable Energy Efficiency for Nonprofits Loan Fund Revenues and Expenditures – Fiscal 2028 and Future Years

Special fund revenues to the Green and Renewable Energy Efficiency for Nonprofits Loan Fund increase by $5.0 million in fiscal 2028 (reflecting receipt of funding transferred from SEIF), and by indeterminate amounts in future years (contingent on the amount of loan repayments and interest income received and the extent of the additional appropriation to the fund in fiscal 2029, which may be as much as $5.0 million or more). Special fund expenditures increase by $5.0 million in fiscal 2028 (assumes full use of the appropriated funding), and by indeterminate amounts in future years (in fiscal 2029, as much as $5.0 million or more), reflecting MCEC's expenses of administering the program and awarding of loans under the program. These special fund revenues and expenditures are (1) assumed to be offsetting, having no net State fiscal effect, and (2) for purposes of clarity are not reflected in the Fiscal Summary further above.

This analysis treats revenues and expenditures of the Green and Renewable Energy Efficiency for Nonprofits Loan Fund as State special fund revenues and expenditures, and assumes expenditures from the fund need to be made through appropriations in the State budget (as money that is a part of the State Treasury), despite the fund being administered by MCEC (a nonbudgeted entity), because the bill requires the fund to be held by the State Treasurer and accounted for by the Comptroller, and requires the State Treasurer to invest and reinvest the money of the fund in the same manner as other State money is invested. (See Additional Comments below.)

Small Business Effect: Small businesses that provide green and renewable energy design and construction services, or energy efficiency services, may benefit to the extent that nonprofits that receive loans procure their services to purchase and install qualifying energy systems or make energy efficiency upgrades.

Additional Comments: As mentioned above, while MCEC is established in State law and receives State funding, its finances are managed independent of the State budget, with its annual budget instead approved by its board of directors. Other existing funds established in State law and administered by MCEC – the Climate Catalytic Capital Fund and Climate Technology Founder's Fund – are not held by the State Treasurer and are instead overseen by a fund oversight committee.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See SB 105 and HB 145 of 2025; SB 169 and HB 660 of 2024; and SB 186 and HB 1248 of 2023.

Designated Cross File: None.

Information Source(s): Maryland Clean Energy Center; Maryland Energy Administration; Department of Budget and Management; Department of Legislative Services

Fiscal Note History: First Reader - January 20, 2026
jg/sdk

Analysis by: Ralph W. Kettell

Direct Inquiries to:
(410) 946-5510
(301) 970-5510