



Maryland

Energy Administration

TO: Chair Smith, Vice Chair Waldstreicher, and Members of the Judicial Proceedings Committee
FROM: MEA
SUBJECT: SB 206 - Condominiums - Common Elements - Clean Energy Equipment
DATE: January 30, 2024

MEA Position: FAVORABLE

Senate Bill 206, Condominiums - Common Elements - Clean Energy Equipment, can help spur the adoption of “clean energy equipment” for multi-unit housing developments in the state.

While the adoption of clean energy equipment such as solar photovoltaic installations and electric vehicle supply equipment (“EVSE”) has been generally strong in the state, penetration of clean energy equipment in multi-unit developments has faced unique challenges. This is, in part, due to a more complicated legal and procedural framework that must be navigated when installing clean energy equipment in or on a multi-unit development or its common elements.

SB 206 lessens the burdens for adoption in multi-unit developments by reducing the percentage of unit owners (or representatives of owners) needed to approve the development of clean energy equipment installations. Protections for unit owners, such as the ability to call for a “special meeting” regarding the grant for a clean energy equipment installation and even the ability to void the grant, remain in place.

Permitting greater access to clean energy equipment in multi-unit developments would also likely offer that access to low- and moderate-income communities and individuals that historically have not enjoyed the same opportunity to adopt clean energy equipment nor enjoy the financial benefits thereof. MEA notes that Real Property § 11-125(f)(5)(iv) may not remove the ability of a mortgagee to intervene due to other possible contractual or legal rights held by a mortgagee.

For the foregoing reasons, MEA is asking the committee for a **FAVORABLE** report.

Our sincere thanks for your consideration of this testimony. For questions or additional information, please contact Ladnon Fahrig, Legislative Liaison, directly (ladnon.fahrig@maryland.gov, 410.931.1537).