

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2023 Legislative Session

Bill 2023-15

REVISED CLEAN ENERGY LOAN PROGRAM

Introduced by Charles County Commissioners

For the purpose of amending the local law concerning the Maryland Commercial Property Assessed Clean Energy Program to remove the requirement to obtain an energy audit that demonstrates certain savings from the improvements over the life of the loan. By amending Chapter 158-1- CLEAN ENERGY LOAN PROGRAM.

Date introduced: 12/12/2023

Public Hearing: 02/07/2024 Virtual and In-Person @ 6:00 p.m.

Commissioners Action: 02/07/2024

Commissioner Votes: RBC: Y, GB: Y, TC: Y AS: Y, RP: Y

Pass/Fail: Pass

Effective Date: 03/23/2024

Remarks: _____

NOTE: CAPITALS indicate matter added to existing text.
[Brackets] indicate matter deleted from existing law.

1 **COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**

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4 **2023 Legislative Session**

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6 Bill No. 2023-15

7 Chapter. No. 158

8 Introduced by Charles County Commissioners

9 Date of Introduction December 12, 2023

10
11 **BILL**

12 AN ACT concerning

13 **REVISED CLEAN ENERGY LOAN PROGRAM**

14
15 FOR THE PURPOSE OF AMENDING THE LOCAL LAW CONCERNING THE
16 MARYLAND COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY PROGRAM TO
17 REMOVE THE REQUIREMENT TO OBTAIN AN ENERGY AUDIT THAT
18 DEMONSTRATES CERTAIN SAVINGS FROM THE IMPROVEMENTS OVER THE LIFE
19 OF THE LOAN.

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21 BY amending:

22 Chapter 158-1– CLEAN ENERGY LOAN PROGRAM

23 *Code of Charles County, Maryland*

24 *(2022 Edition)*

25
26 **SECTION 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF**
27 **CHARLES COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as**
28 **follows:**

CLEAN ENERGY LOAN PROGRAM.

158-1. CLEAN ENERGY LOAN PROGRAM.

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(D) **ELIGIBILITY.** In order to be eligible for a clean energy loan, the property owner shall:

- (1) Have a 100% ownership interest in the property located in Charles County for which improvements are proposed;
- ~~[(2) Obtain an energy audit approved under program guidelines demonstrating that the savings projected to be obtained from the improvements over the life of the loan equal or exceed the principal and aggregate interest to be paid over the term of the loan;]~~
- (2[3]) Demonstrate that the most recent property taxes, liens, special assessments, and charges on the property have been paid;
- (3[4]) Provide a copy of written notice to all current holders of a mortgage or deed of trust who have a priority recorded lien on the property and written proof of express consent to the clean energy loan as a priority lien by all current holders of a mortgage or deed of trust on the property; and
- (4[5]) Establish that the property owner is able to repay the loan provided under the Clean Energy Loan Program, in a manner substantially similar to that required for a mortgage loan according to the Commercial Law Article of the Annotated Code of Maryland and any additional criteria and methods required by the clean energy lender.

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(F) **QUALIFYING COSTS.** A clean energy loan may be used to pay for all costs incurred by a property owner in connection with the qualifying improvements, including, BUT NOT LIMITED TO, the cost of AN [the] energy audit; feasibility studies and reports; project management, design, installation, and construction of the qualifying improvements; commissioning; energy savings or performance guaranty or insurance; building accreditation; closing costs of the Clean Energy Loan; permitting fees; administrative fees; and post-install evaluation, measurement and verification; AND, BUILDING ACCREDITATION.

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SECTION 2. *AND BE IT FURTHER ENACTED*, THAT THIS ACT SHALL TAKE EFFECT FORTY-FIVE (45) DAYS FROM THE DATE IT BECOMES LAW.

ADOPTED this 7th day of February 2024.

**COUNTY COMMISSIONERS
CHARLES COUNTY, MARYLAND**



Reuben B. Collins, II, Esq., President



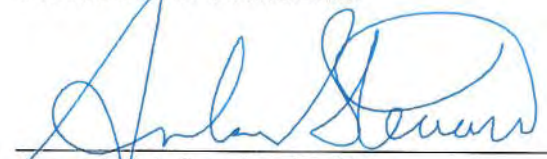
Ralph E. Patterson, M.A., Vice President



Gilbert O. Bowling, III



Thomasina O. Coates, M.S



Amanda M. Stewart, M. Ed.

ATTEST:



Carol A. DeSoto, Clerk to the Commissioners