

# HOUSE BILL 583

M3, M5

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CF SB 414

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By: **Delegate Stein**

Introduced and read first time: January 20, 2021

Assigned to: Environment and Transportation and Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Climate Solutions Now Act of 2021**

3 FOR the purpose of requiring the State to reduce statewide greenhouse gas emissions by a  
4 certain percentage from certain levels by a certain year; requiring the State to  
5 achieve net-zero statewide greenhouse gas emissions by a certain year; providing  
6 that certain net-zero energy requirements do not apply to certain public school  
7 buildings, subject to certain exceptions; requiring certain schools to be constructed  
8 to meet certain net-zero energy requirements subject to the availability of certain  
9 funding; requiring a certain school system to provide a certain notice to the  
10 Interagency Commission on School Construction; requiring certain schools to be  
11 solar-ready; requiring the State to make available a certain loan to cover certain  
12 costs incurred in constructing a new school to meet certain net-zero energy  
13 requirements, subject to the availability of certain funding; requiring the  
14 Commission on Environmental Justice and Sustainable Communities to recommend  
15 a certain methodology, develop certain recommendations, set certain goals, and  
16 make a certain report on or before a certain date; requiring the Commission on  
17 Environmental Justice and Sustainable Communities to consider certain factors in  
18 evaluating certain methodologies; requiring the Commission on Environmental  
19 Justice and Sustainable Communities to hold certain meetings and solicit certain  
20 input in carrying out its responsibilities under this Act; authorizing certain meetings  
21 to be held using teleconference or Internet-based conferencing technology under  
22 certain circumstances; requiring the Department of the Environment to require a  
23 certain landfill operator to take certain actions if certain methane emissions data  
24 acquired from aircraft observations exceeds certain ground-level emissions data;  
25 requiring the Department of the Environment to publicly disclose certain data and  
26 discrepancies on the Department of the Environment's website; requiring the  
27 Department of the Environment to submit certain plans to the Governor and the  
28 General Assembly on or before certain dates; requiring the Department of the  
29 Environment to adopt a certain final plan on or before a certain date; requiring the  
30 Department of the Environment to review and, as necessary, revise a certain plan  
31 on or before a certain date; establishing certain requirements for a certain final plan;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 requiring the Department of the Environment, in developing and implementing  
2 certain plans, to ensure that certain greenhouse gas emissions reduction measures  
3 incorporate certain methane emissions data and use certain best available scientific  
4 data; specifying that certain economic benefits should be compared with a no-action  
5 scenario and requiring a certain economic benefit analysis to include the social cost  
6 of carbon, in accordance with certain requirements; specifying that certain  
7 greenhouse gas emissions reduction measures should encourage certain employment  
8 opportunities particularly in certain areas of the State; requiring the Maryland  
9 Commission on Climate Change to establish a Just Transition and Employment  
10 Retraining Working Group; providing for the composition, chair, and staffing of the  
11 Working Group; prohibiting a member of the Working Group from receiving certain  
12 compensation, but authorizing the reimbursement of certain expenses; requiring the  
13 Working Group to study, identify, and advise on certain matters; requiring the  
14 Working Group to report its findings to the General Assembly on or before a certain  
15 date; requiring certain reports of the Maryland Commission on Climate Change to  
16 include a certain analysis in certain years; requiring the Maryland Department of  
17 Labor to adopt regulations establishing certain energy conservation requirements  
18 for certain buildings on or before a certain date; specifying the energy use reductions  
19 that certain regulations must require certain buildings to achieve; establishing  
20 certain exceptions to certain energy conservation requirements; requiring the  
21 Maryland Department of Labor to adopt regulations requiring certain buildings to  
22 be solar-ready on or before a certain date; allowing certain regulations to authorize  
23 a local jurisdiction to waive certain solar-ready requirements under certain  
24 circumstances; authorizing a local jurisdiction to adopt certain energy conservation  
25 and solar energy requirements that are more stringent than certain requirements  
26 established by the Maryland Department of Labor; requiring certain buildings to be  
27 renovated to achieve certain energy use reductions under certain circumstances;  
28 authorizing a local jurisdiction to waive certain renovation requirements under  
29 certain circumstances; requiring the Maryland Department of Labor to adopt certain  
30 regulations relating to building renovations on or before a certain date; requiring the  
31 Maryland Department of Labor to adopt regulations directing local jurisdictions to  
32 require certain energy life cycle cost estimates for certain buildings on or before a  
33 certain date; establishing a certain exemption from certain life cycle analysis  
34 requirements; requiring certain regulations to require certain energy models to  
35 evaluate life cycle costs for certain options; requiring the consideration of certain  
36 costs when calculating certain life cycle costs; requiring certain life cycle cost  
37 estimates to be made available to the Maryland Department of Labor and taken into  
38 consideration when the State revises the Maryland Building Performance Standards  
39 or the Energy Code; requiring the Public Service Commission to require each electric  
40 company to procure or provide certain energy efficiency and conservation programs  
41 and services to its electricity customers on a certain savings trajectory for the  
42 duration of certain program cycles; altering the definition of “high performance  
43 building” for purposes of certain provisions of law; applying certain requirements  
44 regarding high performance buildings to capital projects for which at least a certain  
45 percentage of the project costs are funded with State funds; repealing a requirement  
46 that the Maryland Green Building Council develop certain guidelines for new public  
47 school buildings; requiring the Maryland Green Building Council to ensure that

1 certain buildings, schools, and community colleges meet certain high performance  
2 building requirements and to develop guidelines for evaluating the energy balance  
3 and achieving a certain energy balance in certain buildings; establishing the intent  
4 of the General Assembly that a certain percentage of light-duty vehicles in the State  
5 vehicle fleet be zero-emission vehicles by a certain year; requiring the State to  
6 ensure that a certain minimum percentage of light-duty vehicles purchased for the  
7 State vehicle fleet in certain fiscal years are zero-emission vehicles, subject to the  
8 availability of funding; requiring the Chief Procurement Officer to submit a certain  
9 report to the General Assembly on or before a certain date each year; requiring  
10 certain units to cooperate with the Chief Procurement Officer in the collection and  
11 reporting of certain information; establishing the Net-Zero School Loan Fund as a  
12 special, nonlapsing fund; specifying the purpose of the Net-Zero School Loan Fund;  
13 requiring the Maryland Energy Administration to administer the Net-Zero School  
14 Loan Fund; requiring the State Treasurer to hold the Net-Zero School Loan Fund  
15 and the Comptroller to account for the Net-Zero School Loan Fund; specifying the  
16 contents of the Net-Zero School Loan Fund; specifying the purpose for which the  
17 Net-Zero School Loan Fund may be used; providing for the investment of money in  
18 and expenditures from the Net-Zero School Loan Fund; requiring interest earnings  
19 of the Net-Zero School Loan Fund to be credited to the Net-Zero School Loan Fund;  
20 exempting the Net-Zero School Loan Fund from a certain provision of law requiring  
21 interest earnings on State money to accrue to the General Fund of the State;  
22 requiring a certain amount of certain proceeds received by the Maryland Strategic  
23 Energy Investment Fund to be allocated to the Maryland Healthy Soils Program in  
24 certain fiscal years; requiring a certain amount of certain proceeds received by the  
25 Maryland Strategic Energy Investment Fund to be credited to a climate solutions  
26 account to be used for certain purposes in certain fiscal years, under certain  
27 circumstances; limiting the amount of money that may be deposited to the climate  
28 solutions account; requiring the Maryland Energy Administration to prioritize the  
29 allocation of certain funds in a certain order under certain circumstances; prohibiting  
30 the Motor Vehicle Administration from entering into a contract to purchase buses  
31 for the Administration's State transit bus fleet that are not zero-emission buses  
32 beginning in a certain fiscal year; requiring the full cost of certain zero-emission  
33 buses to be paid from the Transportation Trust Fund; requiring the Motor Vehicle  
34 Administration to make a certain annual report to certain committees of the General  
35 Assembly on or before a certain date; specifying the contents of a certain report;  
36 exempting certain personal property that is part of a certain community solar energy  
37 generating system from county or municipal corporation property tax under certain  
38 circumstances; requiring a certain landowner who enrolls in the Conservation  
39 Reserve Enhancement Program in certain fiscal years to receive a certain signing  
40 bonus; requiring certain signing bonuses to be funded in a certain manner;  
41 establishing the policy of the State to support and encourage certain tree-planting  
42 efforts, with a goal of planting and helping to maintain in the State a certain number  
43 of sustainable trees of species native to the State by the end of a certain year;  
44 specifying that this goal is in addition to certain trees projected to be planted under  
45 certain programs and includes certain tree plantings accomplished through certain  
46 State programs and private efforts; establishing the intent of the General Assembly  
47 that a certain minimum number of trees should be planted in certain underserved

1 areas; making the Department of the Environment responsible for tracking the  
2 State's progress toward meeting certain tree-planting goals and requiring the  
3 Department of the Environment to serve as the lead agency to receive certain data;  
4 establishing a 5 Million Tree Program Coordinator within the Department of the  
5 Environment; establishing the responsibilities of the Program Coordinator and  
6 requiring the Program Coordinator to consolidate certain data and make a certain  
7 report to certain committees of the General Assembly on or before a certain date each  
8 year; requiring the Governor to formally pledge the State's commitment to achieving  
9 certain tree-planting goals through the U.S. Chapter of the World Economic Forum's  
10 One Trillion Trees Initiative; requiring a certain amount from the Chesapeake and  
11 Atlantic Coastal Bays 2010 Trust Fund to be used for certain purposes in certain  
12 fiscal years; requiring the BayStat Subcabinet agencies to distribute certain funds  
13 through grants to the Green Shores Program; establishing an Urban Trees Program  
14 administered by the Chesapeake Bay Trust; providing for the purpose of the Urban  
15 Trees Program; requiring the Trust to make grants to qualified organizations for  
16 certain purposes; specifying certain eligible Program expenses for the Urban Trees  
17 Program; providing for the funding of the Urban Trees Program; requiring the Trust  
18 to seek certain funds, grants, and donations for the purpose of the Urban Trees  
19 Program; requiring a certain grant agreement to specify the allowed uses of certain  
20 funds and include provisions for the verification of certain information; requiring the  
21 Trust to report certain information concerning certain grant awards to the  
22 Department of Natural Resources and the Department of the Environment on or  
23 before a certain date each year; requiring the Department of the Environment to  
24 make certain transfers from the Bay Restoration Fund for certain purposes in certain  
25 fiscal years, after funding certain eligible costs; establishing certain authorizations  
26 and restrictions regarding the distribution and use of certain funds transferred to  
27 the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund; providing that certain  
28 funds transferred from the Bay Restoration Fund are supplemental to and may not  
29 take the place of certain other funding; establishing the Commission for the  
30 Innovation and Advancement of Carbon Markets and Sustainable Tree Plantings;  
31 providing for the composition, chair, and staffing of the Commission for the  
32 Innovation and Advancement of Carbon Markets and Sustainable Tree Plantings;  
33 prohibiting a member of the Commission for the Innovation and Advancement of  
34 Carbon Markets and Sustainable Tree Plantings from receiving certain  
35 compensation, but authorizing the reimbursement of certain expenses; requiring the  
36 Commission for the Innovation and Advancement of Carbon Markets and  
37 Sustainable Tree Plantings to study and make recommendations regarding certain  
38 matters; requiring the Commission for the Innovation and Advancement of Carbon  
39 Markets and Sustainable Tree Plantings to report its findings and recommendations  
40 to the Governor and the General Assembly on or before a certain date; requiring the  
41 Governor to appropriate a certain amount per fiscal year from the climate solutions  
42 account of the Strategic Energy Investment Fund to the Net-Zero School Loan Fund  
43 in certain fiscal years, subject to the availability of funding in the climate solutions  
44 account; defining certain terms; altering certain definitions; providing for the  
45 application of certain provisions of this Act; providing for the effective date of certain  
46 provisions of this Act; providing for the termination of certain provisions of this Act;  
47 making certain provisions of this Act subject to a certain contingency; and generally

1 relating to climate change and measures to combat climate change.

2 BY renumbering

3 Article – Environment

4 Section 2–1204.2

5 to be Section 2–1204.3

6 Annotated Code of Maryland

7 (2013 Replacement Volume and 2020 Supplement)

8 BY repealing and reenacting, with amendments,

9 Article – Education

10 Section 5–312

11 Annotated Code of Maryland

12 (2018 Replacement Volume and 2020 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Environment

15 Section 1–701(a) and (h), 2–1201(4), 2–1204.1, 2–1205, 2–1206, 2–1210, 2–1303(a),  
16 and 2–1304

17 Annotated Code of Maryland

18 (2013 Replacement Volume and 2020 Supplement)

19 BY repealing and reenacting, without amendments,

20 Article – Environment

21 Section 1–701(b) and (c)

22 Annotated Code of Maryland

23 (2013 Replacement Volume and 2020 Supplement)

24 BY adding to

25 Article – Environment

26 Section 1–702, 2–407, 2–1204.2, 2–1212, and 2–1303.1

27 Annotated Code of Maryland

28 (2013 Replacement Volume and 2020 Supplement)

29 BY repealing and reenacting, without amendments,

30 Article – Public Safety

31 Section 12–501

32 Annotated Code of Maryland

33 (2018 Replacement Volume and 2020 Supplement)

34 BY adding to

35 Article – Public Safety

36 Section 12–511 through 12–513

37 Annotated Code of Maryland

38 (2018 Replacement Volume and 2020 Supplement)

39 BY repealing and reenacting, with amendments,

- 1 Article – Public Utilities  
2 Section 7–211(g)  
3 Annotated Code of Maryland  
4 (2020 Replacement Volume and 2020 Supplement)
- 5 BY repealing and reenacting, with amendments,  
6 Article – State Finance and Procurement  
7 Section 3–602.1, 4–809(f), and 6–226(a)(2)(ii)122. and 123.  
8 Annotated Code of Maryland  
9 (2015 Replacement Volume and 2020 Supplement)
- 10 BY repealing and reenacting, without amendments,  
11 Article – State Finance and Procurement  
12 Section 6–226(a)(2)(i)  
13 Annotated Code of Maryland  
14 (2015 Replacement Volume and 2020 Supplement)
- 15 BY adding to  
16 Article – State Finance and Procurement  
17 Section 6–226(a)(2)(ii)124. and 14–417  
18 Annotated Code of Maryland  
19 (2015 Replacement Volume and 2020 Supplement)
- 20 BY adding to  
21 Article – State Government  
22 Section 9–2010  
23 Annotated Code of Maryland  
24 (2014 Replacement Volume and 2020 Supplement)
- 25 BY repealing and reenacting, without amendments,  
26 Article – State Government  
27 Section 9–20B–05(a)  
28 Annotated Code of Maryland  
29 (2014 Replacement Volume and 2020 Supplement)
- 30 BY repealing and reenacting, with amendments,  
31 Article – State Government  
32 Section 9–20B–05(g)  
33 Annotated Code of Maryland  
34 (2014 Replacement Volume and 2020 Supplement)
- 35 BY adding to  
36 Article – Transportation  
37 Section 7–406  
38 Annotated Code of Maryland  
39 (2020 Replacement Volume)

1 BY repealing and reenacting, with amendments,  
2 Article – Tax – Property  
3 Section 7–237  
4 Annotated Code of Maryland  
5 (2019 Replacement Volume and 2020 Supplement)

6 BY adding to  
7 Article – Agriculture  
8 Section 8–706  
9 Annotated Code of Maryland  
10 (2016 Replacement Volume and 2020 Supplement)

11 BY repealing and reenacting, without amendments,  
12 Article – Natural Resources  
13 Section 8–2A–02(a), 8–2A–04(a), and 8–1901  
14 Annotated Code of Maryland  
15 (2012 Replacement Volume and 2020 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article – Natural Resources  
18 Section 8–2A–02(f) and 8–2A–04(c)  
19 Annotated Code of Maryland  
20 (2012 Replacement Volume and 2020 Supplement)

21 BY adding to  
22 Article – Natural Resources  
23 Section 8–1911  
24 Annotated Code of Maryland  
25 (2012 Replacement Volume and 2020 Supplement)

26 BY repealing and reenacting, without amendments,  
27 Article – Environment  
28 Section 9–1605.2(i)(1)  
29 Annotated Code of Maryland  
30 (2014 Replacement Volume and 2020 Supplement)

31 BY repealing and reenacting, with amendments,  
32 Article – Environment  
33 Section 9–1605.2(i)(2)(xii) and (xiii)  
34 Annotated Code of Maryland  
35 (2014 Replacement Volume and 2020 Supplement)

36 BY adding to  
37 Article – Environment  
38 Section 9–1605.2(i)(2)(xiv) and (11)  
39 Annotated Code of Maryland  
40 (2014 Replacement Volume and 2020 Supplement)

1 BY repealing and reenacting, without amendments,  
 2 Article – Environment  
 3 Section 9–1605.2(i)(1)  
 4 Annotated Code of Maryland  
 5 (2014 Replacement Volume and 2020 Supplement)  
 6 (As enacted by Chapters 366 and 367 of the Acts of the General Assembly of 2017)

7 BY repealing and reenacting, with amendments,  
 8 Article – Environment  
 9 Section 9–1605.2(i)(2)(xi) and (xii)  
 10 Annotated Code of Maryland  
 11 (2014 Replacement Volume and 2020 Supplement)  
 12 (As enacted by Chapters 366 and 367 of the Acts of the General Assembly of 2017)

13 BY adding to  
 14 Article – Environment  
 15 Section 9–1605.2(i)(2)(xiii) and (10)  
 16 Annotated Code of Maryland  
 17 (2014 Replacement Volume and 2020 Supplement)  
 18 (As enacted by Chapters 366 and 367 of the Acts of the General Assembly of 2017)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
 20 That Section(s) 2–1204.2 of Article – Environment of the Annotated Code of Maryland be  
 21 renumbered to be Section(s) 2–1204.3.

22 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
 23 as follows:

24 **Article – Environment**

25 2–1204.1.

26 The State shall reduce statewide greenhouse gas emissions by [40%] **60%** from 2006  
 27 levels by 2030.

28 **2–1204.2.**

29 **THE STATE SHALL ACHIEVE NET-ZERO STATEWIDE GREENHOUSE GAS**  
 30 **EMISSIONS BY 2045.**

31 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
 32 as follows:

33 **Article – Education**



1 5-312.

2 (a) (1) In this section[, “high] **THE FOLLOWING WORDS HAVE THE**  
3 **MEANINGS INDICATED.**

4 (2) **“HIGH performance building”** has the meaning stated in §  
5 3-602.1 of the State Finance and Procurement Article.

6 (3) **“SOLAR-READY” HAS THE MEANING STATED IN § 12-511 OF THE**  
7 **PUBLIC SAFETY ARTICLE.**

8 (b) This section applies to the construction of new schools that have not initiated  
9 a Request For Proposal for the selection of an architectural and engineering consultant on  
10 or before July 1, 2009.

11 (c) (1) [Except] **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AND**  
12 **EXCEPT** as provided in subsection (d) of this section, a new school that receives State public  
13 school construction funds shall be constructed to be a high performance building.

14 (2) (I) **EXCEPT AS PROVIDED IN SUBPARAGRAPHS (II) THROUGH**  
15 **(IV) OF THIS PARAGRAPH, THE NET-ZERO ENERGY REQUIREMENTS THAT APPLY FOR**  
16 **A BUILDING TO MEET THE DEFINITION OF A “HIGH PERFORMANCE BUILDING”**  
17 **UNDER § 3-602.1 OF THE STATE FINANCE AND PROCUREMENT ARTICLE DO NOT**  
18 **APPLY TO PUBLIC SCHOOL BUILDINGS.**

19 (II) **SUBJECT TO THE AVAILABILITY OF FUNDING FROM THE**  
20 **NET-ZERO SCHOOL LOAN FUND ESTABLISHED UNDER § 9-2010 OF THE STATE**  
21 **GOVERNMENT ARTICLE, AT LEAST ONE OF THE SCHOOLS CONSTRUCTED IN EACH**  
22 **LOCAL SCHOOL SYSTEM FROM JULY 1, 2022, THROUGH JUNE 30, 2030, INCLUSIVE,**  
23 **SHALL BE CONSTRUCTED TO MEET NET-ZERO ENERGY REQUIREMENTS.**

24 (III) **EACH LOCAL SCHOOL SYSTEM SHALL NOTIFY THE**  
25 **INTERAGENCY COMMISSION REGARDING WHICH SCHOOL WILL BE CONSTRUCTED**  
26 **TO MEET NET-ZERO ENERGY REQUIREMENTS.**

27 (IV) **ANY SCHOOL CONSTRUCTED ON OR AFTER JULY 1, 2022,**  
28 **THAT IS NOT CONSTRUCTED TO MEET NET-ZERO ENERGY REQUIREMENTS SHALL BE**  
29 **SOLAR-READY.**

30 (d) (1) The Interagency Commission shall establish a process to allow a school  
31 system to obtain a waiver from complying with subsection (c) of this section.

32 (2) The waiver process shall:

33 (i) Include a review by the Interagency Commission to determine if

1 the construction of a high performance building is not practicable; and

2 (ii) Require the approval of a waiver by the Interagency Commission.

3 (e) (1) For fiscal years 2010 through 2014 only, the State shall pay 50% of the  
4 local share of the extra costs, identified and approved by the Interagency Commission, that  
5 are incurred in constructing a new school to meet the high performance building  
6 requirements of this section.

7 (2) **SUBJECT TO THE AVAILABILITY OF FUNDING IN THE NET-ZERO**  
8 **SCHOOL LOAN FUND ESTABLISHED UNDER § 9-2010 OF THE STATE GOVERNMENT**  
9 **ARTICLE, THE STATE SHALL MAKE AVAILABLE A NO-INTEREST LOAN TO COVER THE**  
10 **LOCAL SHARE OF THE EXTRA COSTS, IDENTIFIED AND APPROVED BY THE**  
11 **INTERAGENCY COMMISSION, THAT ARE INCURRED IN CONSTRUCTING A NEW**  
12 **SCHOOL TO MEET NET-ZERO ENERGY REQUIREMENTS.**

13 (f) The Interagency Commission shall adopt regulations to implement the  
14 requirements of this section.

#### 15 Article – Environment

16 1-701.

17 (a) (1) In this [section, “environmental”] **SUBTITLE THE FOLLOWING WORDS**  
18 **HAVE THE MEANINGS INDICATED.**

19 (2) **“COMMISSION” MEANS THE COMMISSION ON ENVIRONMENTAL**  
20 **JUSTICE AND SUSTAINABLE COMMUNITIES.**

21 (3) **“ENVIRONMENTAL justice”** means equal protection from  
22 environmental and public health hazards for all people regardless of race, income, culture,  
23 and social status.

24 (b) There is a Commission on Environmental Justice and Sustainable  
25 Communities.

26 (c) (1) The Commission consists of the following 20 members:

27 (i) One member of the Senate of Maryland, appointed by the  
28 President of the Senate;

29 (ii) One member of the House of Delegates, appointed by the Speaker  
30 of the House;

31 (iii) The Secretary, or the Secretary’s designee;

- 1 (iv) The Secretary of Health, or the Secretary’s designee;
- 2 (v) The Secretary of Planning, or the Secretary’s designee;
- 3 (vi) The Secretary of Commerce, or the Secretary’s designee;
- 4 (vii) The Secretary of Housing and Community Development, or the  
5 Secretary’s designee;
- 6 (viii) The Secretary of Transportation, or the Secretary’s designee; and
- 7 (ix) Twelve members appointed by the Governor who represent the  
8 following interests:
  - 9 1. Affected communities concerned with environmental  
10 justice;
  - 11 2. Business organizations;
  - 12 3. Environmental organizations;
  - 13 4. Health experts on environmental justice;
  - 14 5. Local government; and
  - 15 6. The general public with interest or expertise in  
16 environmental justice.

17 (2) Of the twelve members appointed by the Governor under paragraph  
18 (1)(ix) of this subsection, at least two members shall represent affected communities  
19 concerned with environmental justice.

20 (h) The Commission shall:

21 (1) Advise State government agencies on environmental justice and related  
22 community issues;

23 (2) Review and analyze the impact of current State laws and policies on the  
24 issue of environmental justice and sustainable communities;

25 (3) Assess the adequacy of State and local government laws to address the  
26 issue of environmental justice and sustainable communities;

27 (4) Coordinate with the Children’s Environmental Health and Protection  
28 Advisory Council on recommendations related to environmental justice and sustainable  
29 communities;

1 (5) Develop criteria to assess whether communities in the State may be  
2 experiencing environmental justice issues; [and]

3 (6) **IN ACCORDANCE WITH § 1-702 OF THIS SUBTITLE:**

4 (I) **RECOMMEND A METHODOLOGY FOR IDENTIFYING**  
5 **COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE;**

6 (II) **DEVELOP SPECIFIC RECOMMENDATIONS TO ADDRESS**  
7 **ENVIRONMENTAL JUSTICE CONCERNS, REDUCE EMISSIONS OF GREENHOUSE GASES**  
8 **AND CO-POLLUTANTS, AND BUILD CLIMATE EQUITY AND RESILIENCE WITHIN**  
9 **DISPROPORTIONATELY AFFECTED COMMUNITIES; AND**

10 (III) **SET GOALS FOR THE PERCENTAGE OF STATE FUNDING FOR**  
11 **GREENHOUSE GAS EMISSION REDUCTION MEASURES THAT SHOULD BE USED FOR**  
12 **THE BENEFIT OF DISPROPORTIONATELY AFFECTED COMMUNITIES; AND**

13 (7) Recommend options to the Governor for addressing issues, concerns, or  
14 problems related to environmental justice that surface after reviewing State laws and  
15 policies, including prioritizing areas of the State that need immediate attention.

16 **1-702.**

17 (A) **ON OR BEFORE DECEMBER 31, 2022, THE COMMISSION SHALL:**

18 (1) **SUBJECT TO SUBSECTION (B) OF THIS SECTION, AND IN**  
19 **CONSULTATION WITH THE DEPARTMENT, THE MARYLAND DEPARTMENT OF**  
20 **HEALTH, THE MARYLAND DEPARTMENT OF LABOR, AND THE DEPARTMENT OF**  
21 **PLANNING, RECOMMEND A METHODOLOGY FOR IDENTIFYING COMMUNITIES**  
22 **DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE;**

23 (2) **DEVELOP SPECIFIC RECOMMENDATIONS TO ADDRESS**  
24 **ENVIRONMENTAL JUSTICE CONCERNS, REDUCE EMISSIONS OF GREENHOUSE GASES**  
25 **AND CO-POLLUTANTS, AND BUILD CLIMATE EQUITY AND RESILIENCE WITHIN**  
26 **COMMUNITIES DISPROPORTIONATELY AFFECTED BY CLIMATE CHANGE;**

27 (3) **SET APPROPRIATE GOALS FOR THE PERCENTAGE OF STATE**  
28 **FUNDING FOR GREENHOUSE GAS EMISSION REDUCTION MEASURES THAT SHOULD**  
29 **BE USED FOR THE BENEFIT OF DISPROPORTIONATELY AFFECTED COMMUNITIES;**  
30 **AND**

31 (4) **REPORT TO THE MARYLAND COMMISSION ON CLIMATE CHANGE**  
32 **AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE**  
33 **GENERAL ASSEMBLY ON THE CRITERIA AND RECOMMENDATIONS DEVELOPED**

1 UNDER THIS SUBSECTION.

2 (B) IN EVALUATING METHODOLOGIES UNDER SUBSECTION (A)(1) OF THIS  
3 SECTION, THE COMMISSION SHALL CONSIDER GEOGRAPHIC, PUBLIC HEALTH,  
4 ENVIRONMENTAL HAZARD, AND SOCIOECONOMIC CRITERIA, INCLUDING:

5 (1) AREAS BURDENED BY CUMULATIVE ENVIRONMENTAL POLLUTION  
6 AND OTHER HAZARDS THAT CAN LEAD TO NEGATIVE PUBLIC HEALTH EFFECTS;

7 (2) AREAS WITH HIGH CONCENTRATIONS OF:

8 (I) PEOPLE EXPERIENCING POVERTY, HIGH UNEMPLOYMENT  
9 RATES, HIGH RENT BURDENS, LOW LEVELS OF HOME OWNERSHIP, OR LOW LEVELS  
10 OF EDUCATIONAL ATTAINMENT; OR

11 (II) POPULATIONS THAT HAVE HISTORICALLY EXPERIENCED  
12 DISCRIMINATION ON THE BASIS OF RACE OR ETHNICITY; AND

13 (3) AREAS THAT ARE VULNERABLE TO THE IMPACTS OF CLIMATE  
14 CHANGE, SUCH AS FLOODING, STORM SURGES, OR URBAN HEAT ISLAND EFFECTS,  
15 DUE TO LOW LEVELS OF TREE COVERAGE, HIGH LEVELS OF IMPERVIOUS SURFACES,  
16 OR OTHER FACTORS.

17 (C) (1) IN CARRYING OUT ITS RESPONSIBILITIES UNDER THIS  
18 SUBSECTION, THE COMMISSION SHALL:

19 (I) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, HOLD  
20 AT LEAST SIX PUBLIC HEARINGS AT LOCATIONS THROUGHOUT THE STATE,  
21 INCLUDING THREE IN URBAN AREAS AND THREE IN RURAL AREAS; AND

22 (II) SOLICIT INPUT FROM ALL SEGMENTS OF THE POPULATION  
23 THAT WILL BE IMPACTED BY THE CRITERIA DEVELOPED UNDER SUBSECTION (A) OF  
24 THIS SECTION, INCLUDING INDIVIDUALS LIVING IN AREAS THAT MAY BE IDENTIFIED  
25 AS DISPROPORTIONATELY AFFECTED COMMUNITIES UNDER THE PROPOSED  
26 CRITERIA.

27 (2) TO PROTECT PUBLIC HEALTH AND SAFETY, THE COMMISSION  
28 MAY HOLD A PUBLIC MEETING REQUIRED UNDER THIS SUBSECTION USING  
29 TELECONFERENCE OR INTERNET-BASED CONFERENCING TECHNOLOGY IF AN  
30 EMERGENCY DECLARATION IS ISSUED BY AN EXECUTIVE AUTHORITY OF:

31 (I) THE FEDERAL OR STATE GOVERNMENT; OR

1                   **(II) THE LOCAL GOVERNMENT WITH JURISDICTION OVER A**  
2 **COUNTY OR MUNICIPALITY WHERE THE PUBLIC MEETING WOULD OTHERWISE BE**  
3 **HELD.**

4 **2-407.**

5           **(A) THIS SECTION APPLIES ONLY TO A MUNICIPAL SOLID WASTE LANDFILL**  
6 **THAT IS REQUIRED TO MONITOR AND REPORT METHANE EMISSIONS TO THE**  
7 **DEPARTMENT.**

8           **(B) IF METHANE EMISSIONS DATA ACQUIRED FROM AIRCRAFT**  
9 **OBSERVATIONS, WHERE AVAILABLE, EXCEEDS THE GROUND-LEVEL EMISSIONS**  
10 **DATA REPORTED BY A MUNICIPAL SOLID WASTE LANDFILL BY MORE THAN 25%, THE**  
11 **DEPARTMENT SHALL REQUIRE THE LANDFILL OPERATOR TO:**

12                   **(1) INVESTIGATE THE DIFFERENCE BETWEEN THE DATA; AND**

13                   **(2) REASSESS THE METHODOLOGY AND EQUIPMENT USED TO OBTAIN**  
14 **THE GROUND-LEVEL DATA.**

15           **(C) THE DEPARTMENT SHALL PUBLICLY DISCLOSE ON THE DEPARTMENT'S**  
16 **WEBSITE:**

17                   **(1) ALL METHANE EMISSIONS DATA OBTAINED THROUGH AIRPLANE**  
18 **OBSERVATIONS; AND**

19                   **(2) ANY DISCREPANCIES BETWEEN METHANE EMISSIONS DATA**  
20 **OBTAINED THROUGH AIRCRAFT OBSERVATIONS AND GROUND-LEVEL METHANE**  
21 **EMISSIONS DATA REPORTED BY MUNICIPAL SOLID WASTE LANDFILLS.**

22 **2-1201.**

23           The General Assembly finds that:

24                   **(4) The State has the ingenuity to reduce the threat of global warming and**  
25 **make greenhouse gas reductions a part of the State's future by achieving a 25% reduction**  
26 **in greenhouse gas emissions from 2006 levels by 2020 and by preparing a plan to meet a**  
27 **longer-term goal of [reducing greenhouse gas emissions by up to 90% from 2006 levels by**  
28 **2050] ACHIEVING NET-ZERO STATEWIDE GREENHOUSE GAS EMISSIONS BY 2045 in a**  
29 **manner that promotes new "green" jobs, and protects existing jobs and the State's economic**  
30 **well-being;**

31 **2-1205.**

1 (a) The State shall develop plans, adopt regulations, and implement programs  
2 that reduce statewide greenhouse gas emissions in accordance with this subtitle.

3 (b) On or before [December 31, 2018] **JUNE 30, 2022**, the Department shall:

4 (1) Submit a proposed plan that reduces statewide greenhouse gas  
5 emissions by [40%] **60%** from 2006 levels by 2030 to the Governor and General Assembly;

6 (2) Make the proposed plan available to the public; and

7 (3) Convene a series of public workshops to provide interested parties with  
8 an opportunity to comment on the proposed plan.

9 (c) (1) The Department shall, on or before December 31, 2012, adopt a final  
10 plan that reduces statewide greenhouse gas emissions by 25% from 2006 levels by 2020.

11 (2) The Department shall, on or before December 31, [2019] **2022**, adopt a  
12 final plan that [reduces]:

13 (I) **REDUCES** statewide greenhouse gas emissions by [40%] **60%**  
14 from 2006 levels by 2030; **AND**

15 (II) **SETS THE STATE ON A PATH TOWARD ACHIEVING NET-ZERO**  
16 **STATEWIDE GREENHOUSE GAS EMISSIONS BY 2045.**

17 (3) [The plans shall be developed in recognition of the finding by the  
18 Intergovernmental Panel on Climate Change that developed countries will need to reduce  
19 greenhouse gas emissions by between 80% and 95% from 1990 levels by 2050] **THE**  
20 **DEPARTMENT SHALL:**

21 (I) **ON OR BEFORE DECEMBER 31, 2030, ADOPT A FINAL PLAN**  
22 **THAT ACHIEVES NET-ZERO STATEWIDE GREENHOUSE GAS EMISSIONS BY 2045; AND**

23 (II) **ON OR BEFORE DECEMBER 31, 2035, REVIEW AND, AS**  
24 **NECESSARY, REVISE THE FINAL PLAN TO ACHIEVE NET-ZERO STATEWIDE GAS**  
25 **EMISSIONS BY 2045.**

26 (d) The final plans required under subsection (c) of this section shall include:

27 (1) Adopted regulations that implement all plan measures for which State  
28 agencies have existing statutory authority; and

29 (2) A summary of any new legislative authority needed to fully implement  
30 the plans and a timeline for seeking legislative authority.

1           **(E) A FINAL PLAN DEVELOPED UNDER THIS SECTION:**

2                   **(1) MAY NOT INCLUDE AS A GREENHOUSE GAS EMISSION REDUCTION**  
3 **MEASURE:**

4                           **(I) HIGHWAY WIDENING OR ADDITIONAL ROAD**  
5 **CONSTRUCTION; OR**

6                           **(II) THE USE OF CARBON CAPTURE AND STORAGE**  
7 **TECHNOLOGY;**

8                   **(2) SHALL USE THE GLOBAL WARMING POTENTIAL FOR METHANE**  
9 **OVER A 20-YEAR TIME HORIZON, AS ACCEPTED IN THE MOST RECENT ASSESSMENT**  
10 **OF THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE, IN ESTIMATING THE**  
11 **STATE'S GREENHOUSE GAS EMISSIONS REDUCTIONS; AND**

12                   **(3) SHALL INCLUDE SPECIFIC ESTIMATES OF THE REDUCTIONS**  
13 **EXPECTED FROM EACH GREENHOUSE GAS EMISSIONS REDUCTION MEASURE**  
14 **INCLUDED IN THE PLAN.**

15           **[(e)] (F)** In developing and adopting a final plan to reduce statewide greenhouse  
16 gas emissions, the Department shall consult with State and local agencies as appropriate.

17           **[(f)] (G)** (1) Unless required by federal law or regulations or existing State  
18 law, regulations adopted by State agencies to implement a final plan may not:

19                           (i) Require greenhouse gas emissions reductions from the State's  
20 manufacturing sector; or

21                           (ii) Cause a significant increase in costs to the State's manufacturing  
22 sector.

23                   (2) Paragraph (1) of this subsection may not be construed to exempt  
24 greenhouse gas emissions sources in the State's manufacturing sector from the obligation  
25 to comply with:

26                           (i) Greenhouse gas emissions monitoring, recordkeeping, and  
27 reporting requirements for which the Department had existing authority under § 2-301(a)  
28 of this title on or before October 1, 2009; or

29                           (ii) Greenhouse gas emissions reductions required of the  
30 manufacturing sector as a result of the State's implementation of the Regional Greenhouse  
31 Gas Initiative.

32           **[(g)] (H)** A regulation adopted by a State agency for the purpose of reducing



1 greenhouse gas emissions in accordance with this section may not be construed to result in  
2 a significant increase in costs to the State's manufacturing sector unless the source would  
3 not incur the cost increase but for the new regulation.

4 2–1206.

5 (A) In developing and implementing the plans required by § 2–1205 of this  
6 subtitle, the Department shall:

7 (1) Analyze the feasibility of measures to comply with the greenhouse gas  
8 emissions reductions required by this subtitle;

9 (2) Consider the impact on rural communities of any transportation related  
10 measures proposed in the plans;

11 (3) Provide that a greenhouse gas emissions source that voluntarily  
12 reduces its greenhouse gas emissions before the implementation of this subtitle shall  
13 receive appropriate credit for its early voluntary actions;

14 (4) Provide for the use of offset credits generated by alternative compliance  
15 mechanisms executed within the State, including carbon sequestration projects, to achieve  
16 compliance with greenhouse gas emissions reductions required by this subtitle;

17 (5) Ensure that the plans do not decrease the likelihood of reliable and  
18 affordable electrical service and statewide fuel supplies;

19 (6) Consider whether the measures would result in an increase in  
20 electricity costs to consumers in the State;

21 (7) Consider the impact of the plans on the ability of the State to:

22 (i) Attract, expand, and retain commercial aviation services; and

23 (ii) Conserve, protect, and retain agriculture; [and]

24 (8) Ensure that the greenhouse gas emissions reduction measures  
25 implemented in accordance with the plans:

26 (i) Are implemented in an efficient and cost-effective manner;

27 (ii) Do not disproportionately impact rural or low-income, low- to  
28 moderate-income, or minority communities or any other particular class of electricity  
29 ratepayers;

30 (iii) Minimize leakage;

31 (iv) Are quantifiable, verifiable, and enforceable;

1 (v) Directly cause no loss of existing jobs in the manufacturing  
2 sector;

3 (vi) [Produce] **SUBJECT TO SUBSECTION (B) OF THIS SECTION,**  
4 **PRODUCE** a net economic benefit to the State's economy and a net increase in jobs in the  
5 State, **AS COMPARED WITH A NO-ACTION SCENARIO;** and

6 (vii) Encourage new employment opportunities in the State related to  
7 energy conservation, alternative energy supply, and greenhouse gas emissions reduction  
8 technologies, **PARTICULARLY IN AREAS OF THE STATE EXPERIENCING LOW RATES OF**  
9 **EMPLOYMENT OR HIGH CONCENTRATIONS OF POVERTY;**

10 **(9) INCORPORATE TOP-DOWN METHANE EMISSIONS DATA ACQUIRED**  
11 **THROUGH AIRCRAFT OBSERVATIONS; AND**

12 **(10) USE THE BEST AVAILABLE SCIENTIFIC INFORMATION, AS**  
13 **INCLUDED IN THE MOST RECENT ASSESSMENTS AND REPORTS OF THE**  
14 **INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE.**

15 **(B) (1) THE ECONOMIC BENEFIT ANALYSIS UNDER SUBSECTION**  
16 **(A)(8)(VI) OF THIS SECTION SHALL INCLUDE THE SOCIAL COST OF CARBON.**

17 **(2) THE SOCIAL COST OF CARBON SHALL:**

18 **(I) BE DETERMINED BY THE DEPARTMENT;**

19 **(II) REFLECT THE HEALTH, ECONOMIC, AND ENVIRONMENTAL**  
20 **COSTS OF CARBON; AND**

21 **(III) BE AT LEAST \$50 PER TON OF CARBON DIOXIDE**  
22 **EQUIVALENT.**

23 2-1210.

24 On review of the study required under § 2-1207 of this subtitle, and the reports  
25 required under § 2-1211 of this subtitle, the General Assembly:

26 (1) May act to maintain, revise, or eliminate the [40%] greenhouse gas  
27 emissions [reduction] **REDUCTIONS** required under [§ 2-1204.1] **§§ 2-1204.1 AND**  
28 **2-1204.2** of this subtitle; and

29 (2) Shall consider whether to continue the special manufacturing  
30 provisions in § 2-1205(f)(1) of this subtitle.

1 2-1303.

2 (a) The Commission shall establish:

3 (1) A Scientific and Technical Working Group;

4 (2) A Greenhouse Gas Mitigation Working Group;

5 (3) An Adaptation and Response Working Group; [and]

6 (4) An Education, Communication, and Outreach Working Group; AND

7 (5) **SUBJECT TO § 2-1303.1 OF THIS SUBTITLE, A JUST TRANSITION**  
8 **EMPLOYMENT AND RETRAINING WORKING GROUP.**

9 **2-1303.1.**

10 (A) **IN THIS SECTION, “WORKING GROUP” MEANS THE JUST TRANSITION**  
11 **EMPLOYMENT AND RETRAINING WORKING GROUP OF THE COMMISSION.**

12 (B) **THE COMMISSION SHALL ESTABLISH A JUST TRANSITION**  
13 **EMPLOYMENT AND RETRAINING WORKING GROUP.**

14 (C) **THE WORKING GROUP SHALL INCLUDE:**

15 (1) **ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE**  
16 **PRESIDENT OF THE SENATE;**

17 (2) **ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE**  
18 **SPEAKER OF THE HOUSE;**

19 (3) **THE SECRETARY, OR THE SECRETARY’S DESIGNEE;**

20 (4) **THE SECRETARY OF LABOR, OR THE SECRETARY’S DESIGNEE;**

21 (5) **ONE ELECTRICAL WORKER, SELECTED BY THE INTERNATIONAL**  
22 **BROTHERHOOD OF ELECTRICAL WORKERS;**

23 (6) **ONE CONSTRUCTION LABORER, SELECTED BY THE BALTIMORE**  
24 **WASHINGTON LABORERS’ DISTRICT COUNCIL;**

25 (7) **TWO REPRESENTATIVES OF THE BUILDING AND CONSTRUCTION**  
26 **TRADE INDUSTRY, SELECTED BY THE BALTIMORE-DC METRO BUILDING AND**  
27 **CONSTRUCTION TRADES COUNCIL;**

1           **(8) FOUR LABOR REPRESENTATIVES, SELECTED BY THE MARYLAND**  
2 **STATE AFL-CIO;**

3           **(9) ONE REPRESENTATIVE OF THE CHESAPEAKE CLIMATE ACTION**  
4 **NETWORK, SELECTED BY THE CHESAPEAKE CLIMATE ACTION NETWORK;**

5           **(10) ONE REPRESENTATIVE OF THE MARYLAND CHAPTER OF THE**  
6 **SIERRA CLUB, SELECTED BY THE MARYLAND CHAPTER OF THE SIERRA CLUB;**

7           **(11) ONE REPRESENTATIVE OF THE SOLAR ENERGY INDUSTRY,**  
8 **SELECTED BY THE MARYLAND-DC-DELAWARE-VIRGINIA SOLAR ENERGY**  
9 **INDUSTRIES ASSOCIATION;**

10           **(12) ONE REPRESENTATIVE OF THE WIND ENERGY INDUSTRY,**  
11 **SELECTED BY THE AMERICAN WIND ENERGY ASSOCIATION;**

12           **(13) TWO REPRESENTATIVES OF REGISTERED APPRENTICESHIP**  
13 **SPONSORS; AND**

14           **(14) ONE COMMUNITY COLLEGE REPRESENTATIVE, SELECTED BY THE**  
15 **MARYLAND ASSOCIATION OF COMMUNITY COLLEGES.**

16           **(D) THE SECRETARY SHALL DESIGNATE THE CHAIR OF THE WORKING**  
17 **GROUP.**

18           **(E) THE DEPARTMENT SHALL PROVIDE STAFF FOR THE WORKING GROUP.**

19           **(F) A MEMBER OF THE WORKING GROUP:**

20           **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**  
21 **WORKING GROUP; BUT**

22           **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**  
23 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.**

24           **(G) THE WORKING GROUP SHALL:**

25           **(1) ADVISE THE COMMISSION ON ISSUES AND OPPORTUNITIES FOR**  
26 **WORKFORCE DEVELOPMENT AND TRAINING RELATED TO ENERGY EFFICIENCY**  
27 **MEASURES, RENEWABLE ENERGY, AND OTHER CLEAN ENERGY TECHNOLOGIES,**  
28 **WITH SPECIFIC FOCUS ON TRAINING AND WORKFORCE OPPORTUNITIES FOR:**

1           **(I) SEGMENTS OF THE POPULATION THAT MAY BE**  
2 **UNDERREPRESENTED IN THE CLEAN ENERGY WORKFORCE, SUCH AS VETERANS,**  
3 **WOMEN, AND FORMERLY INCARCERATED INDIVIDUALS; AND**

4           **(II) DISLOCATED WORKERS AFFECTED BY THE DOWNSIZING OF**  
5 **FOSSIL FUEL INDUSTRIES;**

6           **(2) IDENTIFY:**

7           **(I) ENERGY-INTENSIVE INDUSTRIES AND RELATED TRADES;**

8           **(II) SITES OF ELECTRIC GENERATING FACILITIES THAT MAY BE**  
9 **CLOSED AS A RESULT OF A TRANSITION TO RENEWABLE ENERGY SOURCES;**

10           **(III) SECTOR-SPECIFIC IMPACTS OF THE STATE'S GREENHOUSE**  
11 **GAS EMISSIONS REDUCTION PLAN ON THE STATE'S CURRENT WORKFORCE; AND**

12           **(IV) AVENUES TO MAXIMIZE THE SKILLS AND EXPERTISE OF**  
13 **MARYLAND WORKERS IN THE NEW ENERGY ECONOMY;**

14           **(3) ADVISE THE COMMISSION ON THE POTENTIAL IMPACTS OF**  
15 **CARBON LEAKAGE RISKS ON MARYLAND INDUSTRIES AND LOCAL HOST**  
16 **COMMUNITIES, INCLUDING THE IMPACT OF ANY POTENTIAL GREENHOUSE GAS**  
17 **EMISSIONS REDUCTION MEASURES ON THE COMPETITIVENESS OF MARYLAND**  
18 **BUSINESSES AND INDUSTRY; AND**

19           **(4) CONDUCT A STUDY OF:**

20           **(I) THE NUMBER OF JOBS CREATED TO COUNTER CLIMATE**  
21 **CHANGE, INCLUDING IN THE ENERGY SECTOR, BUILDING SECTOR,**  
22 **TRANSPORTATION SECTOR, AND WORKING LANDS SECTOR;**

23           **(II) THE PROJECTED INVENTORY OF JOBS NEEDED AND SKILLS**  
24 **AND TRAINING REQUIRED TO MEET FUTURE DEMAND FOR JOBS TO COUNTER**  
25 **CLIMATE CHANGE;**

26           **(III) WORKFORCE DISRUPTION DUE TO COMMUNITY CHANGES**  
27 **CAUSED BY THE TRANSITION TO A LOW-CARBON ECONOMY; AND**

28           **(IV) STRATEGIES FOR TARGETING WORKFORCE DEVELOPMENT**  
29 **AND JOB CREATION IN FENCELINE COMMUNITIES THAT HAVE HISTORICALLY BORNE**  
30 **THE BRUNT OF HOSTING CARBON POLLUTERS.**

1           **(H) ON OR BEFORE DECEMBER 31, 2022, THE WORKING GROUP SHALL**  
 2 **REPORT TO THE COMMISSION AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE**  
 3 **GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE FINDINGS OF THE STUDY**  
 4 **REQUIRED UNDER SUBSECTION (G)(4) OF THIS SECTION.**

5 2-1304.

6           **(A) On or before November 15 of each year, the Commission shall report to the**  
 7 **Governor and General Assembly, in accordance with § 2-1257 of the State Government**  
 8 **Article, on the status of the State's efforts to mitigate the causes of, prepare for, and adapt**  
 9 **to the consequences of climate change, including future plans and recommendations for**  
 10 **legislation, if any, to be considered by the General Assembly.**

11           **(B) THE REPORT DUE ON OR BEFORE NOVEMBER 15, 2022, AND EACH**  
 12 **SUBSEQUENT REPORT SHALL INCLUDE AN ANALYSIS, PREPARED BY THE**  
 13 **DEPARTMENT, OF:**

14           **(1) THE TOTAL AMOUNT OF STATE MONEY SPENT ON MEASURES TO**  
 15 **REDUCE GREENHOUSE GASES AND, TO THE EXTENT PRACTICABLE,**  
 16 **CO-POLLUTANTS, DURING THE IMMEDIATELY PRECEDING FISCAL YEAR; AND**

17           **(2) THE PERCENTAGE OF THAT FUNDING THAT BENEFITTED**  
 18 **DISPROPORTIONATELY AFFECTED COMMUNITIES IDENTIFIED ACCORDING TO THE**  
 19 **CRITERIA DEVELOPED BY THE COMMISSION ON ENVIRONMENTAL JUSTICE AND**  
 20 **SUSTAINABLE COMMUNITIES UNDER § 1-702 OF THIS ARTICLE.**

## 21                               Article – Public Safety

22 12-501.

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

24           (b) “Building” has the meaning stated in the International Building Code.

25           (c) “Department” means the Maryland Department of Labor.

26           (d) (1) “International Building Code” means the first printing of the most  
 27 recent edition of the International Building Code issued by the International Code Council.

28           (2) “International Building Code” does not include interim amendments or  
 29 subsequent printings of the most recent edition of the International Building Code.

30           (e) (1) “International Energy Conservation Code” means the first printing of  
 31 the most recent edition of the International Energy Conservation Code issued by the  
 32 International Code Council.

1 (2) “International Energy Conservation Code” does not include interim  
2 amendments or subsequent printings of the most recent edition of the International Energy  
3 Conservation Code.

4 (f) (1) “International Green Construction Code” means the first printing of the  
5 most recent edition of the International Green Construction Code issued by the  
6 International Code Council.

7 (2) “International Green Construction Code” does not include interim  
8 amendments or subsequent printings of the most recent edition of the International Green  
9 Construction Code.

10 (g) “Local jurisdiction” means the county or municipal corporation that is  
11 responsible for implementation and enforcement of the Standards under this subtitle.

12 (h) “Standards” means the Maryland Building Performance Standards.

13 (i) “Structure” has the meaning stated in the International Building Code.

14 **12-511.**

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

17 (2) “COMMERCIAL BUILDING” MEANS A BUILDING THAT:

18 (I) IS USED PRIMARILY TO CARRY ON A FOR-PROFIT OR  
19 NONPROFIT BUSINESS;

20 (II) IS NOT RESIDENTIAL; AND

21 (III) IS NOT USED PRIMARILY TO MANUFACTURE OR PRODUCE  
22 RAW MATERIALS, PRODUCTS, OR AGRICULTURAL COMMODITIES.

23 (3) “COVERED BUILDING” MEANS A COMMERCIAL OR RESIDENTIAL  
24 BUILDING WITH A GROSS FLOOR AREA OF 25,000 SQUARE FEET OR MORE,  
25 EXCLUDING THE PARKING GARAGE AREA.

26 (4) “SOLAR-READY” MEANS DESIGNED, ENGINEERED, AND  
27 CONSTRUCTED SO THAT AT LEAST 40% OF THE ROOF AREA IS:

28 (I) FREE FROM OBSTRUCTIONS; AND

29 (II) CAPABLE OF ACCEPTING THE INSTALLATION OF SOLAR

1 PANELS.

2 (B) (1) THIS SECTION APPLIES ONLY TO NEW CONSTRUCTION.

3 (2) THIS SECTION DOES NOT APPLY TO A PUBLIC PURPOSE PROJECT,  
4 AS DEFINED IN § 4-201 OF THE HOUSING AND COMMUNITY DEVELOPMENT  
5 ARTICLE.

6 (C) (1) ON OR BEFORE JULY 1, 2022, THE DEPARTMENT SHALL ADOPT  
7 REGULATIONS ESTABLISHING ENERGY CONSERVATION REQUIREMENTS FOR  
8 COVERED BUILDINGS IN ACCORDANCE WITH THIS SUBSECTION.

9 (2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE  
10 REGULATIONS SHALL REQUIRE NEW COVERED BUILDINGS TO ACHIEVE:

11 (I) ENERGY USE REDUCTIONS THAT EXCEED THE 2018  
12 INTERNATIONAL ENERGY CONSERVATION CODE BY AT LEAST:

13 1. 30% FOR BUILDING PERMIT APPLICATIONS RECEIVED  
14 FROM JANUARY 1, 2024, THROUGH DECEMBER 31, 2026, INCLUSIVE;

15 2. 40% FOR BUILDING PERMIT APPLICATIONS RECEIVED  
16 FROM JANUARY 1, 2027, THROUGH DECEMBER 31, 2029, INCLUSIVE; AND

17 3. 60% FOR BUILDING PERMIT APPLICATIONS RECEIVED  
18 FROM JANUARY 1, 2030, THROUGH DECEMBER 31, 2032, INCLUSIVE; AND

19 (II) A NET-ZERO ENERGY BALANCE FOR BUILDING PERMIT  
20 APPLICATIONS RECEIVED ON OR AFTER JANUARY 1, 2033.

21 (3) (I) IF THE VERSION OF THE STANDARDS IN EFFECT AT THE  
22 TIME A BUILDING PERMIT APPLICATION IS RECEIVED WOULD REQUIRE THE  
23 BUILDING TO MEET ENERGY CONSERVATION REQUIREMENTS THAT ARE MORE  
24 STRINGENT THAN THE REQUIREMENTS ESTABLISHED UNDER PARAGRAPH (2) OF  
25 THIS SUBSECTION, THE BUILDING SHALL BE REQUIRED TO MEET THE MORE  
26 STRINGENT REQUIREMENTS.

27 (II) IF THE LOCAL JURISDICTION WHERE A COVERED BUILDING  
28 WILL BE LOCATED HAS ADOPTED ENERGY CONSERVATION REQUIREMENTS MORE  
29 STRINGENT THAN THE REQUIREMENTS ESTABLISHED UNDER PARAGRAPH (2) OF  
30 THIS SUBSECTION, THE BUILDING SHALL BE REQUIRED TO MEET THE MORE  
31 STRINGENT REQUIREMENTS.



1           **(D) (1) ON OR BEFORE JULY 1, 2022, THE DEPARTMENT SHALL ADOPT**  
2 **REGULATIONS REQUIRING NEW COVERED BUILDINGS TO BE SOLAR-READY IF THE**  
3 **BUILDING:**

4                   **(I) WILL HAVE 20,000 SQUARE FEET OR MORE OF CONTINUOUS**  
5 **ROOF SPACE, EXCLUDING THE PARKING AREA; AND**

6                   **(II) WILL BE 20 STORIES OR LESS IN HEIGHT, ABOVE GRADE**  
7 **PLANE.**

8           **(2) REGULATIONS ADOPTED UNDER THIS SUBSECTION MAY**  
9 **AUTHORIZE A LOCAL JURISDICTION TO WAIVE THE SOLAR-READY REQUIREMENT**  
10 **FOR A BUILDING ON A SPECIFIC FINDING THAT:**

11                   **(I) INCIDENT SOLAR RADIATION AT THE BUILDING SITE IS LESS**  
12 **THAN 75% OF INCIDENT SOLAR RADIATION AT AN OPEN SITE; OR**

13                   **(II) SHADOW STUDIES INDICATE THAT 25% OF A BUILDING'S**  
14 **ROOF AREA WILL BE IN SHADOW.**

15           **(3) REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL APPLY**  
16 **TO EACH COVERED BUILDING IN THE STATE FOR WHICH A BUILDING PERMIT**  
17 **APPLICATION IS RECEIVED ON OR AFTER JANUARY 1, 2023.**

18           **(E) A LOCAL JURISDICTION MAY ADOPT ENERGY CONSERVATION AND**  
19 **SOLAR ENERGY REQUIREMENTS FOR BUILDINGS THAT ARE MORE STRINGENT THAN**  
20 **THE REQUIREMENTS ESTABLISHED BY THE DEPARTMENT UNDER THIS SECTION.**

21 **12-512.**

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

24                   **(2) "COMMERCIAL BUILDING" MEANS A BUILDING THAT:**

25                   **(I) IS USED PRIMARILY TO CARRY ON A FOR-PROFIT OR**  
26 **NONPROFIT BUSINESS;**

27                   **(II) IS NOT RESIDENTIAL; AND**

28                   **(III) IS NOT USED PRIMARILY TO MANUFACTURE OR PRODUCE**  
29 **RAW MATERIALS, PRODUCTS, OR AGRICULTURAL COMMODITIES.**

1           **(3) “COVERED BUILDING” MEANS A COMMERCIAL OR RESIDENTIAL**  
2 **BUILDING WITH A GROSS FLOOR AREA OF 25,000 SQUARE FEET OR MORE,**  
3 **EXCLUDING THE PARKING GARAGE AREA.**

4           **(4) “MAJOR RENOVATION” MEANS A RENOVATION PROJECT:**

5                   **(I) FOR WHICH THE TOTAL PROJECTED COST EXCEEDS 50% OF**  
6 **THE ASSESSED VALUE OF THE EXISTING BUILDING; OR**

7                   **(II) INVOLVING A CHANGE OF USE, IF THE CHANGE INVOLVES**  
8 **THE APPLICATION OF DIFFERENT REQUIREMENTS OF THE STANDARDS.**

9           **(B) THIS SECTION DOES NOT APPLY TO:**

10                   **(1) A PUBLIC PURPOSE PROJECT, AS DEFINED IN § 4–201 OF THE**  
11 **HOUSING AND COMMUNITY DEVELOPMENT ARTICLE; OR**

12                   **(2) A BUILDING DESIGNATED AS A HISTORIC PROPERTY UNDER**  
13 **FEDERAL, STATE, OR LOCAL LAW.**

14           **(C) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, IF A**  
15 **COVERED BUILDING IS UNDERGOING A MAJOR RENOVATION, THE BUILDING SHALL**  
16 **BE RENOVATED TO ACHIEVE:**

17                   **(1) A 40% REDUCTION IN THE BUILDING’S AVERAGE ANNUAL ENERGY**  
18 **USE; OR**

19                   **(2) A LEVEL OF ENERGY EFFICIENCY THAT IS AT LEAST 20% HIGHER**  
20 **THAN WHAT WOULD BE REQUIRED FOR A NEW BUILDING UNDER § 12–511 OF THIS**  
21 **SUBTITLE.**

22           **(D) A LOCAL JURISDICTION MAY WAIVE THE REQUIREMENTS UNDER**  
23 **SUBSECTION (C) OF THIS SECTION IF THE BUILDING OWNER DEMONSTRATES THAT**  
24 **THE COST OF THE IMPROVEMENTS NECESSARY TO ACHIEVE THE REQUIRED ENERGY**  
25 **REDUCTIONS WOULD EXCEED PROJECTED OPERATIONAL AND ENERGY SAVINGS**  
26 **FROM THE IMPROVEMENTS OVER A 15–YEAR PERIOD.**

27           **(E) ON OR BEFORE JULY 1, 2022, THE DEPARTMENT SHALL ADOPT**  
28 **REGULATIONS TO IMPLEMENT THIS SECTION.**

29 **12–513.**

30           **(A) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ON OR**

1 BEFORE JULY 1, 2022, THE DEPARTMENT SHALL ADOPT REGULATIONS DIRECTING  
2 LOCAL JURISDICTIONS TO REQUIRE ENERGY LIFE CYCLE COST ESTIMATES FOR NEW  
3 BUILDINGS.

4 (2) A BUILDING SHALL BE EXEMPT FROM LIFE CYCLE ANALYSIS  
5 REQUIREMENTS ADOPTED UNDER THIS SECTION IF IT IS DESIGNED TO BE  
6 ALL-ELECTRIC.

7 (B) (1) THE REGULATIONS SHALL REQUIRE ENERGY MODELS FOR NEW  
8 BUILDINGS TO EVALUATE LIFE CYCLE COSTS FOR:

9 (I) AN ALL-ELECTRIC OPTION, INCLUDING NO  
10 COMBUSTION-POWERED EQUIPMENT; AND

11 (II) A MIXED-FUEL OPTION, INCLUDING A COMBINATION OF  
12 COMBUSTION- AND ELECTRIC-POWERED EQUIPMENT.

13 (2) THE REGULATIONS SHALL REQUIRE ALL REASONABLY  
14 FORESEEABLE FUTURE COSTS OF COMBUSTION, INCLUDING COSTS RESULTING  
15 FROM STRANDED FOSSIL FUEL ASSETS AND CARBON PRICING, TO BE CONSIDERED  
16 WHEN CALCULATING LIFE CYCLE COSTS.

17 (C) LIFE CYCLE COST ESTIMATES PRODUCED IN ACCORDANCE WITH  
18 REGULATIONS ADOPTED UNDER THIS SECTION SHALL BE:

19 (1) MADE AVAILABLE TO THE DEPARTMENT; AND

20 (2) TAKEN INTO CONSIDERATION WHEN THE STATE REVISES THE  
21 STANDARDS OR THE ENERGY CODE DEFINED UNDER THE ENERGY CONSERVATION  
22 BUILDING STANDARDS ESTABLISHED IN TITLE 7, SUBTITLE 4 OF THE PUBLIC  
23 UTILITIES ARTICLE.

#### 24 Article – Public Utilities

25 7-211.

26 (g) (1) Except as provided in subsection (e) of this section, on or before  
27 December 31, 2008, by regulation or order, the Commission shall:

28 (i) to the extent that the Commission determines that cost-effective  
29 energy efficiency and conservation programs and services are available, for each affected  
30 class, require each electric company to procure or provide for its electricity customers  
31 cost-effective energy efficiency and conservation programs and services with projected and  
32 verifiable electricity savings that are designed to achieve a targeted reduction of at least

1 5% by the end of 2011 and 10% by the end of 2015 of per capita electricity consumed in the  
2 electric company's service territory during 2007; and

3 (ii) require each electric company to implement a cost-effective  
4 demand response program in the electric company's service territory that is designed to  
5 achieve a targeted reduction of at least 5% by the end of 2011, 10% by the end of 2013, and  
6 15% by the end of 2015, in per capita peak demand of electricity consumed in the electric  
7 company's service territory during 2007.

8 (2) (i) Except as provided in subsection (e) of this section, for the  
9 duration of the [2018–2020 and] 2021–2023 **AND 2024–2026** program cycles, by regulation  
10 or order, the Commission shall, to the extent that the Commission determines that  
11 cost-effective energy efficiency and conservation programs and services are available, for  
12 each affected class, require each electric company to procure or provide for its electricity  
13 customers cost-effective energy efficiency and conservation programs and services with  
14 projected and verifiable electricity savings that are designed on a trajectory to achieve a  
15 targeted annual incremental gross energy savings of at least [2.0%] **3.0%** per year,  
16 calculated as a percentage of the electric company's 2016 weather-normalized gross retail  
17 sales and electricity losses.

18 (ii) The savings trajectory shall use the approved 2016 plans  
19 submitted under subsection (h)(2) of this section as a baseline for an incremental increase  
20 of a rate of .20% per year until the minimum [2.0%] **3.0%** per year savings rate is achieved.

21 (iii) The gross retail sales against which the savings are measured  
22 shall:

23 1. reflect sales associated with customer classes served by  
24 utility-administered programs only; and

25 2. be updated by the Commission for each plan submitted  
26 under subsection (h)(2) of this section.

27 (iv) The targeted annual incremental gross energy savings shall be  
28 achieved based on the 3-year average of an electric company's plan submitted under  
29 subsection (h)(2) of this section.

### 30 **Article – State Finance and Procurement**

31 3–602.1.

32 (a) (1) In this section the following words have the meanings indicated.

33 (2) “High performance building” means a building that:

34 (i) 1. meets or exceeds the current version of the U.S. Green  
35 Building Council's LEED (Leadership in Energy and Environmental Design) Green

1 Building Rating System Silver rating;

2 [(ii)] 2. achieves at least a comparable numeric rating according  
3 to a nationally recognized, accepted, and appropriate numeric sustainable development  
4 rating system, guideline, or standard approved by the Secretaries of Budget and  
5 Management and General Services; or

6 [(iii)] 3. complies with a nationally recognized and accepted green  
7 building code, guideline, or standard reviewed and recommended by the Maryland Green  
8 Building Council and approved by the Secretaries of Budget and Management and General  
9 Services; AND

10 (II) 1. MEETS OR EXCEEDS THE CURRENT REQUIREMENTS  
11 FOR CERTIFICATION UNDER THE U.S. GREEN BUILDING COUNCIL'S LEED  
12 (LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN) ZERO PROGRAM; OR

13 2. ACHIEVES A NET-ZERO ENERGY BALANCE IN  
14 ACCORDANCE WITH STANDARDS OR GUIDELINES RECOMMENDED BY THE  
15 MARYLAND GREEN BUILDING COUNCIL AND APPROVED BY THE SECRETARIES OF  
16 BUDGET AND MANAGEMENT AND GENERAL SERVICES.

17 (3) "Major renovation" means the renovation of a building where:

18 (i) the building shell is to be reused for the new construction;

19 (ii) the heating, ventilating, and air conditioning (HVAC), electrical,  
20 and plumbing systems are to be replaced; and

21 (iii) the scope of the renovation is 7,500 square feet or greater.

22 (b) It is the intent of the General Assembly that, to the extent practicable:

23 (1) the State shall employ green building technologies when constructing  
24 or renovating a State building not subject to this section; and

25 (2) high performance buildings shall meet the criteria and standards  
26 established under the "High Performance Green Building Program" adopted by the  
27 Maryland Green Building Council.

28 (c) (1) This subsection applies to:

29 (i) capital projects [that are funded solely] **FOR WHICH AT LEAST**  
30 **25% OF THE PROJECT COSTS ARE FUNDED** with State funds; and

31 (ii) community college capital projects that receive State funds.

1           (2) Except as provided in subsections (d) and (e) of this section, if a capital  
2 project includes the construction or major renovation of a building that is 7,500 square feet  
3 or greater, the building shall be constructed or renovated to be a high performance building.

4           (d) The following types of unoccupied buildings are not required to be constructed  
5 or renovated to be high performance buildings:

6           (1) warehouse and storage facilities;

7           (2) garages;

8           (3) maintenance facilities;

9           (4) transmitter buildings;

10          (5) pumping stations; and

11          (6) other similar types of buildings, as determined by the Department.

12          (e) (1) The Department of Budget and Management and the Department of  
13 General Services shall jointly establish a process to allow a unit of State government or a  
14 community college to obtain a waiver from complying with subsection (c) of this section.

15          (2) The waiver process shall:

16               (i) include a review by the Maryland Green Building Council  
17 established under § 4–809 of this article, to determine if the use of a high performance  
18 building in a proposed capital project is not practicable; and

19               (ii) require the approval of a waiver by the Secretaries of Budget and  
20 Management, General Services, and Transportation.

21 4–809.

22          (f) The Maryland Green Building Council shall:

23          (1) evaluate current high performance building technologies;

24          (2) provide recommendations concerning the most cost-effective green  
25 building technologies that the State might consider requiring in the construction of State  
26 facilities, including consideration of the additional cost associated with the various  
27 technologies;

28          (3) provide recommendations concerning how to expand green building in  
29 the State;

30          (4) develop a list of building types for which green building technologies

1 should not be applied, taking into consideration the operational aspects of facilities  
2 evaluated, and the utility of a waiver process where appropriate;

3 (5) establish a process for receiving public input; [and]

4 (6) [develop guidelines for new public school buildings to achieve the  
5 equivalent of the current version of the U.S. Green Building Council’s LEED (Leadership  
6 in Energy and Environmental Design) Green Building Rating System Silver rating or a  
7 comparable rating system or building code as authorized in § 3–602.1 of this article without  
8 requiring an independent certification that the buildings have achieved the required  
9 standards] **ENSURE THAT STATE BUILDINGS, PUBLIC SCHOOLS, AND COMMUNITY  
10 COLLEGES THAT ARE REQUIRED TO MEET THE HIGH PERFORMANCE BUILDING  
11 REQUIREMENTS UNDER § 3–602.1 OF THIS ARTICLE OR § 5–312 OF THE EDUCATION  
12 ARTICLE MEET THOSE REQUIREMENTS; AND**

13 **(7) DEVELOP GUIDELINES FOR EVALUATING THE ENERGY BALANCE  
14 AND ACHIEVING A NET-ZERO ENERGY BALANCE IN BUILDINGS SUBJECT TO §  
15 3–602.1 OF THIS ARTICLE.**

16 6–226.

17 (a) (2) (i) Notwithstanding any other provision of law, and unless  
18 inconsistent with a federal law, grant agreement, or other federal requirement or with the  
19 terms of a gift or settlement agreement, net interest on all State money allocated by the  
20 State Treasurer under this section to special funds or accounts, and otherwise entitled to  
21 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General  
22 Fund of the State.

23 (ii) The provisions of subparagraph (i) of this paragraph do not apply  
24 to the following funds:

25 122. the Racing and Community Development Financing Fund;

26 [and]

27 123. the Racing and Community Development Facilities Fund;

28 **AND**

29 **124. THE NET-ZERO SCHOOL LOAN FUND.**

30 14–417.

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

33 **(2) “LIGHT-DUTY VEHICLE” MEANS A VEHICLE WITH A GROSS**

1 WEIGHT OF 8,500 POUNDS OR LESS.

2 (3) "ZERO-EMISSION VEHICLE" HAS THE MEANING STATED IN §  
3 23-206.4 OF THE TRANSPORTATION ARTICLE.

4 (B) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT 100% OF  
5 LIGHT-DUTY VEHICLES IN THE STATE VEHICLE FLEET BE ZERO-EMISSION  
6 VEHICLES BY 2030.

7 (C) THIS SECTION DOES NOT APPLY TO THE PURCHASE OF VEHICLES THAT  
8 HAVE SPECIAL PERFORMANCE REQUIREMENTS NECESSARY FOR THE PROTECTION  
9 AND WELFARE OF THE PUBLIC.

10 (D) SUBJECT TO THE AVAILABILITY OF FUNDING, THE STATE SHALL  
11 ENSURE THAT:

12 (1) IN EACH FISCAL YEAR FROM FISCAL YEAR 2022 THROUGH FISCAL  
13 YEAR 2024, INCLUSIVE, AT LEAST 50% OF LIGHT-DUTY VEHICLES PURCHASED FOR  
14 THE STATE VEHICLE FLEET ARE ZERO-EMISSION VEHICLES; AND

15 (2) BEGINNING IN FISCAL YEAR 2025, 100% OF LIGHT-DUTY  
16 VEHICLES PURCHASED FOR THE STATE VEHICLE FLEET ARE ZERO-EMISSION  
17 VEHICLES.

18 (E) (1) ON OR BEFORE DECEMBER 1 EACH YEAR, THE CHIEF  
19 PROCUREMENT OFFICER SHALL SUBMIT TO THE GENERAL ASSEMBLY, IN  
20 ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, AN ANNUAL  
21 REPORT THAT INCLUDES, FOR THE IMMEDIATELY PRECEDING FISCAL YEAR:

22 (I) THE TOTAL NUMBER OF LIGHT-DUTY VEHICLES  
23 PURCHASED BY EACH UNIT;

24 (II) THE NUMBER OF ZERO-EMISSION LIGHT-DUTY VEHICLES  
25 PURCHASED BY EACH UNIT;

26 (III) THE CURRENT PERCENTAGE OF LIGHT-DUTY VEHICLES IN  
27 THE STATE VEHICLE FLEET THAT ARE ZERO-EMISSION VEHICLES; AND

28 (IV) ANY OPERATIONAL SAVINGS ASSOCIATED WITH THE  
29 PURCHASE AND OPERATION OF ZERO-EMISSION VEHICLES.

30 (2) EACH UNIT SHALL COOPERATE WITH THE CHIEF PROCUREMENT  
31 OFFICER IN THE COLLECTION AND REPORTING OF THE INFORMATION REQUIRED



1 UNDER THIS SUBSECTION.

2 Article – State Government

3 9–2010.

4 (A) IN THIS SECTION, “FUND” MEANS THE NET–ZERO SCHOOL LOAN FUND.

5 (B) THERE IS A NET–ZERO SCHOOL LOAN FUND.

6 (C) THE PURPOSE OF THE FUND IS TO ASSIST LOCAL SCHOOL SYSTEMS TO  
7 COVER THE COST DIFFERENCE BETWEEN MEETING THE BASIC HIGH PERFORMANCE  
8 BUILDING REQUIREMENTS AND THE NET–ZERO ENERGY REQUIREMENTS UNDER §  
9 3–602.1 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

10 (D) THE ADMINISTRATION SHALL ADMINISTER THE FUND.

11 (E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT  
12 SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

13 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,  
14 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

15 (F) THE FUND CONSISTS OF:

16 (1) MONEY ALLOCATED TO THE FUND FROM THE STRATEGIC ENERGY  
17 INVESTMENT FUND UNDER § 9–20B–05(G)(3) OF THIS TITLE;

18 (2) MONEY PROVIDED TO THE FUND BY A SCHOOL SYSTEM UNDER  
19 SUBSECTION (G) OF THIS SECTION;

20 (3) INTEREST EARNINGS; AND

21 (4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR  
22 THE BENEFIT OF THE FUND.

23 (G) (1) THE FUND MAY BE USED ONLY FOR PROVIDING LOCAL SCHOOL  
24 SYSTEMS WITH NO–INTEREST LOANS TO COVER THE COST DIFFERENCE BETWEEN  
25 MEETING THE HIGH PERFORMANCE BUILDING REQUIREMENTS AND THE NET–ZERO  
26 ENERGY REQUIREMENTS UNDER § 3–602.1 OF THE STATE FINANCE AND  
27 PROCUREMENT ARTICLE.

28 (2) THE ADMINISTRATION SHALL DEVELOP GUIDELINES AND

1 REPORTING REQUIREMENTS FOR LOCAL SCHOOL SYSTEMS TO RECEIVE  
2 NO-INTEREST LOANS UNDER PARAGRAPH (1) OF THIS SUBSECTION.

3 (3) EACH LOCAL SCHOOL SYSTEM THAT RECEIVES A NO-INTEREST  
4 LOAN UNDER THIS SECTION SHALL TRANSFER TO THE ADMINISTRATION EACH YEAR  
5 AN AMOUNT EQUAL TO THE ENERGY SAVINGS ASSOCIATED WITH THE OPERATION OF  
6 A NET-ZERO ENERGY SCHOOL UNTIL THE LOCAL SCHOOL SYSTEM HAS REPAID THE  
7 LOAN.

8 (H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND  
9 IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

10 (2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO  
11 THE FUND.

12 (I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE  
13 WITH THE STATE BUDGET.

14 (J) MONEY EXPENDED FROM THE FUND IS SUPPLEMENTAL TO AND IS NOT  
15 INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE  
16 APPROPRIATED TO ASSIST LOCAL SCHOOL SYSTEMS WITH SCHOOL CONSTRUCTION  
17 COSTS.

18 9-20B-05.

19 (a) There is a Maryland Strategic Energy Investment Fund.

20 (g) (1) [Proceeds] EXCEPT AS PROVIDED UNDER PARAGRAPH (3) OF THIS  
21 SUBSECTION, PROCEEDS received by the Fund from the sale of allowances under §  
22 2-1002(g) of the Environment Article shall be allocated as follows:

23 [(1)] (I) at least 50% shall be credited to an energy assistance account to  
24 be used for the Electric Universal Service Program and other electricity assistance  
25 programs in the Department of Human Services;

26 [(2)] (II) at least 20% shall be credited to a low and moderate income  
27 efficiency and conservation programs account and to a general efficiency and conservation  
28 programs account for energy efficiency and conservation programs, projects, or activities  
29 and demand response programs, of which at least one-half shall be targeted to the low and  
30 moderate income efficiency and conservation programs account for:

31 [(i)] 1. the low-income residential sector at no cost to the  
32 participants of the programs, projects, or activities; and

33 [(ii)] 2. the moderate-income residential sector;

1           **[(3)] (III) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION**, at least  
2 20% shall be credited to a renewable and clean energy programs account for:

3                   **[(i)] 1.**       renewable and clean energy programs and initiatives;

4                   **[(ii)] 2.**       energy-related public education and outreach; and

5                   **[(iii)] 3.**       climate change and resiliency programs, **INCLUDING THE**  
6 **MARYLAND HEALTHY SOILS PROGRAM ESTABLISHED UNDER § 2-1901 OF THE**  
7 **AGRICULTURE ARTICLE**; and

8           **[(4)] (IV)** up to 10%, but not more than \$5,000,000, shall be credited to an  
9 administrative expense account for costs related to the administration of the Fund,  
10 including the review of electric company plans for achieving electricity savings and demand  
11 reductions that the electric companies are required under law to submit to the  
12 Administration.

13           **(2) IN FISCAL YEARS 2022 THROUGH 2027, INCLUSIVE, OF THE 20%**  
14 **CREDITED TO THE RENEWABLE AND CLEAN ENERGY PROGRAMS ACCOUNT UNDER**  
15 **PARAGRAPH (1)(III) OF THIS SUBSECTION, THE GREATER OF 5% OR \$500,000 SHALL**  
16 **BE ALLOCATED TO THE MARYLAND HEALTHY SOILS PROGRAM.**

17           **(3) (I) SUBJECT TO THE REQUIREMENTS OF THIS PARAGRAPH, IN**  
18 **ANY FISCAL YEAR THAT THE PROCEEDS RECEIVED BY THE FUND EXCEED**  
19 **\$50,000,000, THE ADMINISTRATION SHALL CREDIT PROCEEDS IN EXCESS OF THE**  
20 **FIRST \$50,000,000 TO A CLIMATE SOLUTIONS ACCOUNT TO BE USED FOR:**

21                   **1. COVERING THE COST DIFFERENCE BETWEEN**  
22 **ZERO-EMISSION LIGHT-DUTY VEHICLES, PURCHASED IN ACCORDANCE WITH §**  
23 **14-417 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, AND STANDARD**  
24 **LIGHT-DUTY VEHICLES;**

25                   **2. ALLOCATIONS TO THE NET-ZERO SCHOOL LOAN**  
26 **FUND UNDER § 9-2010 OF THIS TITLE;**

27                   **3. ADMINISTRATIVE COSTS OF THE DEPARTMENT OF**  
28 **THE ENVIRONMENT RELATING TO GREENHOUSE GAS EMISSIONS REDUCTION**  
29 **PLANNING; AND**

30                   **4. ADMINISTRATIVE COSTS OF THE MARYLAND**  
31 **DEPARTMENT OF LABOR RELATING TO THE DEVELOPMENT AND IMPLEMENTATION**  
32 **OF ENERGY CONSERVATION AND ENERGY MODELING REQUIREMENTS UNDER §§**  
33 **12-511 THROUGH 12-513 OF THE PUBLIC SAFETY ARTICLE.**

1 (II) NOT MORE THAN \$20,000,000 MAY BE DEPOSITED TO THE  
2 CLIMATE SOLUTIONS ACCOUNT IN A FISCAL YEAR.

3 (III) IN ANY FISCAL YEAR THAT THERE ARE NOT SUFFICIENT  
4 FUNDS IN THE CLIMATE SOLUTIONS ACCOUNT TO FULLY FUND THE PROGRAMS AND  
5 PURPOSES DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE  
6 ADMINISTRATION SHALL PRIORITIZE THE ALLOCATION OF FUNDS IN THE  
7 FOLLOWING ORDER:

8 1. THE INCREMENTAL COSTS OF PURCHASING  
9 ZERO-EMISSION LIGHT-DUTY VEHICLES;

10 2. THE NET-ZERO SCHOOL LOAN FUND ALLOCATIONS;

11 3. ADMINISTRATIVE COSTS OF THE DEPARTMENT OF  
12 THE ENVIRONMENT RELATING TO GREENHOUSE GAS REDUCTION PLANNING; AND

13 4. ADMINISTRATIVE COSTS OF THE MARYLAND  
14 DEPARTMENT OF LABOR RELATING TO THE DEVELOPMENT AND IMPLEMENTATION  
15 OF ROOFTOP SOLAR, BUILDING RENOVATION, AND ENERGY MODELING  
16 REQUIREMENTS UNDER §§ 12-511 THROUGH 12-513 OF THE PUBLIC SAFETY  
17 ARTICLE.

18 Article – Transportation

19 7-406.

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

22 (2) “BUS” HAS THE MEANING STATED IN § 11-105 OF THIS ARTICLE.

23 (3) “ZERO-EMISSION BUS” MEANS A MOTOR VEHICLE THAT IS:

24 (I) 1. DESIGNED TO CARRY MORE THAN 10 PASSENGERS  
25 AND IS USED TO CARRY PASSENGERS; OR

26 2. DESIGNED AND USED TO CARRY PASSENGERS FOR  
27 COMPENSATION;

28 (II) A ZERO-EMISSION VEHICLE; AND

29 (III) NOT A TAXICAB.

1           **(4) “ZERO-EMISSION VEHICLE” MEANS:**

2           **(I) A FUEL CELL ELECTRIC VEHICLE THAT:**

- 3           1. IS A MOTOR VEHICLE;
- 4           2. IS MADE BY A MANUFACTURER;
- 5           3. IS MANUFACTURED PRIMARILY FOR USE ON PUBLIC  
6 STREETS, ROADS, AND HIGHWAYS;
- 7           4. HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST 55  
8 MILES PER HOUR;
- 9           5. IS POWERED ENTIRELY BY ELECTRICITY, PRODUCED  
10 BY COMBINING HYDROGEN AND OXYGEN, THAT RUNS THE MOTOR;
- 11          6. HAS AN OPERATING RANGE OF AT LEAST 100 MILES;

12 AND

13          7. PRODUCES ONLY WATER VAPOR AND HEAT AS  
14 BY-PRODUCTS; OR

15           **(II) A PLUG-IN ELECTRIC DRIVE VEHICLE THAT:**

- 16          1. IS A MOTOR VEHICLE;
- 17          2. IS MADE BY A MANUFACTURER;
- 18          3. HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST 55  
19 MILES PER HOUR; AND
- 20          4. IS PROPELLED TO A SIGNIFICANT EXTENT BY AN  
21 ELECTRIC MOTOR THAT DRAWS ELECTRICITY FROM A BATTERY THAT:

22           A. HAS A CAPACITY OF NOT LESS THAN 4  
23 KILOWATT-HOURS; AND

24           B. IS CAPABLE OF BEING RECHARGED FROM AN  
25 EXTERNAL SOURCE OF ELECTRICITY.

26           **(B) (1) THIS SECTION APPLIES TO THE ADMINISTRATION’S STATE  
27 TRANSIT BUS FLEET.**

1           **(2) THIS SECTION DOES NOT APPLY TO A BUS THAT IS PART OF A**  
2 **LOCALLY OPERATED TRANSIT SYSTEM.**

3           **(C) (1) BEGINNING IN FISCAL YEAR 2023, THE ADMINISTRATION MAY**  
4 **NOT ENTER INTO A CONTRACT TO PURCHASE BUSES FOR THE ADMINISTRATION'S**  
5 **STATE TRANSIT BUS FLEET THAT ARE NOT ZERO-EMISSION BUSES.**

6           **(2) THE FULL COST OF ZERO-EMISSION BUSES PURCHASED UNDER**  
7 **THIS SUBSECTION SHALL BE PAID FROM THE TRANSPORTATION TRUST FUND.**

8           **(D) (1) ON OR BEFORE JANUARY 1, 2022, AND EACH JANUARY 1**  
9 **THEREAFTER, THE ADMINISTRATION SHALL, IN ACCORDANCE WITH § 2-1257 OF**  
10 **THE STATE GOVERNMENT ARTICLE, SUBMIT A REPORT TO THE SENATE BUDGET**  
11 **AND TAXATION COMMITTEE, THE SENATE EDUCATION, HEALTH, AND**  
12 **ENVIRONMENTAL AFFAIRS COMMITTEE, THE HOUSE APPROPRIATIONS**  
13 **COMMITTEE, AND THE HOUSE ENVIRONMENT AND TRANSPORTATION COMMITTEE**  
14 **ON THE IMPLEMENTATION OF THIS SECTION.**

15           **(2) THE ANNUAL REPORT SHALL INCLUDE:**

16                   **(I) A SCHEDULE FOR CONVERTING THE ADMINISTRATION'S**  
17 **STATE TRANSIT BUS FLEET TO ZERO-EMISSION BUSES EXCLUSIVELY;**

18                   **(II) AN EVALUATION OF THE CHARGING INFRASTRUCTURE**  
19 **NEEDED FOR THE ADMINISTRATION TO CREATE AND MAINTAIN A STATE TRANSIT**  
20 **BUS FLEET OF ZERO-EMISSION BUSES EXCLUSIVELY;**

21                   **(III) A PLAN FOR TRANSITIONING ANY STATE EMPLOYEES**  
22 **ADVERSELY AFFECTED BY THE CONVERSION FROM A DIESEL-POWERED STATE**  
23 **TRANSIT BUS FLEET TO A ZERO-EMISSION STATE TRANSIT BUS FLEET TO SIMILAR**  
24 **OR OTHER EMPLOYMENT WITHIN THE ADMINISTRATION OR THE DEPARTMENT**  
25 **THAT HAS COMMENSURATE SENIORITY, PAY, AND BENEFITS;**

26                   **(IV) IN COORDINATION WITH OTHER APPROPRIATE STATE**  
27 **AGENCIES, AN ESTIMATE OF THE REDUCTION IN THE AMOUNT OF CARBON DIOXIDE**  
28 **EMISSIONS, MEASURED IN POUNDS, THAT WILL BE OBTAINED THROUGH THE USE OF**  
29 **ZERO-EMISSION BUSES EACH YEAR UNTIL THE STATE TRANSIT BUS FLEET IS**  
30 **CONVERTED TO ZERO-EMISSION BUSES EXCLUSIVELY; AND**

31                   **(V) A FINANCIAL ANALYSIS:**

32                           **1. OF THE PROJECTED COST OF PURCHASING,**  
33 **MAINTAINING, AND PROVIDING CHARGING INFRASTRUCTURE FOR THE**  
34 **ZERO-EMISSION STATE TRANSIT BUS FLEET EACH YEAR UNTIL THE FLEET IS**

1 CONVERTED TO ZERO-EMISSION BUSES EXCLUSIVELY; AND

2 **2. COMPARING THE PROJECTED COST UNDER ITEM 1 OF**  
3 **THIS ITEM TO THE PROJECTED COST OF CONTINUING TO OPERATE A**  
4 **DIESEL-POWERED STATE TRANSIT BUS FLEET.**

5 **Article - Tax - Property**

6 7-237.

7 (a) Except as provided in subsection (b) of this section, personal property is  
8 exempt from property tax if the property is machinery or equipment used to generate:

9 (1) electricity or steam for sale; or

10 (2) hot or chilled water for sale that is used to heat or cool a building.

11 (b) Subject to § 7-514 of this title, **AND EXCEPT AS PROVIDED IN SUBSECTION**  
12 **(C) OF THIS SECTION**, personal property that is machinery or equipment described in  
13 subsection (a) of this section is subject to county or municipal corporation property tax on:

14 (1) 75% of its value for the taxable year beginning July 1, 2000; and

15 (2) 50% of its value for the taxable year beginning July 1, 2001 and each  
16 subsequent taxable year.

17 **(C) PERSONAL PROPERTY IS EXEMPT FROM COUNTY OR MUNICIPAL**  
18 **CORPORATION PROPERTY TAX IF THE PROPERTY IS MACHINERY OR EQUIPMENT**  
19 **THAT:**

20 **(1) IS INSTALLED ON ROOFTOPS, PARKING LOTS, ROADWAYS, OR**  
21 **BROWNFIELDS SITES; AND**

22 **(2) IS PART OF A COMMUNITY SOLAR ENERGY GENERATING SYSTEM,**  
23 **AS DEFINED IN § 7-306.2 OF THE PUBLIC UTILITIES ARTICLE, THAT SERVES MORE**  
24 **THAN 51% OF KILOWATT-HOUR OUTPUT TO LOW- OR MODERATE-INCOME**  
25 **CUSTOMERS, AS DEFINED IN REGULATIONS OF THE PUBLIC SERVICE COMMISSION.**

26 SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
27 as follows:

28 **Article - Agriculture**

29 **8-706.**

1 (A) TO MAXIMIZE PARTICIPATION IN THE CONSERVATION RESERVE  
2 ENHANCEMENT PROGRAM, IN FISCAL YEARS 2022 THROUGH 2030, INCLUSIVE, A  
3 LANDOWNER WHO ENROLLS LAND PLANTED WITH A FORESTED STREAMSIDE  
4 BUFFER SHALL RECEIVE A ONE-TIME SIGNING BONUS OF UP TO \$1,000 PER ACRE  
5 OF LAND ENROLLED.

6 (B) SIGNING BONUSES PROVIDED UNDER THIS SECTION SHALL BE FUNDED  
7 WITH THE AMOUNT SPECIFIED IN § 9-1605.2(I)(11)(I) OF THE ENVIRONMENT  
8 ARTICLE.

9 Article – Environment

10 2-1212.

11 (A) (1) IT IS THE POLICY OF THE STATE TO SUPPORT AND ENCOURAGE  
12 PUBLIC AND PRIVATE TREE-PLANTING EFFORTS, WITH A GOAL OF PLANTING AND  
13 HELPING TO MAINTAIN IN THE STATE 5,000,000 SUSTAINABLE TREES OF SPECIES  
14 NATIVE TO THE STATE BY THE END OF CALENDAR YEAR 2030.

15 (2) THIS GOAL:

16 (I) IS IN ADDITION TO ANY TREES PROJECTED TO BE PLANTED  
17 UNDER PROGRAMS DESCRIBED IN THE 2019 DRAFT GREENHOUSE GAS EMISSIONS  
18 REDUCTION PLAN; AND

19 (II) INCLUDES NATIVE TREE PLANTINGS ACCOMPLISHED  
20 THROUGH STATE PROGRAMS AND THROUGH THE EFFORTS OF NONPROFIT AND  
21 PRIVATE ORGANIZATIONS.

22 (3) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT AT LEAST  
23 500,000 OF THE 5,000,000 TREES CALLED FOR BY THIS SUBSECTION SHOULD BE  
24 PLANTED IN AN “UNDERSERVED AREA”, AS DEFINED IN § 8-1911 OF THE NATURAL  
25 RESOURCES ARTICLE.

26 (B) (1) THE DEPARTMENT:

27 (I) IS RESPONSIBLE FOR TRACKING THE STATE’S PROGRESS  
28 TOWARD MEETING THE GOALS ESTABLISHED UNDER SUBSECTION (A) OF THIS  
29 SECTION; AND

30 (II) SHALL SERVE AS THE LEAD AGENCY TO RECEIVE DATA  
31 FROM:



1                   **1. THE MARYLAND DEPARTMENT OF AGRICULTURE**  
2 **REGARDING TREE PLANTINGS ACCOMPLISHED THROUGH THE CONSERVATION**  
3 **RESERVE ENHANCEMENT PROGRAM AND OTHER AGRICULTURAL INITIATIVES;**

4                   **2. THE DEPARTMENT OF NATURAL RESOURCES**  
5 **REGARDING TREE PLANTINGS ACCOMPLISHED THROUGH THE CHESAPEAKE AND**  
6 **ATLANTIC COASTAL BAYS 2010 TRUST FUND, THE MEL NOLAND WOODLAND**  
7 **INCENTIVES FUND, AND OTHER FORESTRY INITIATIVES; AND**

8                   **3. THE CHESAPEAKE BAY TRUST REGARDING TREE**  
9 **PLANTINGS ACCOMPLISHED THROUGH THE URBAN TREES PROGRAM.**

10                   **(2) (I) THERE IS A 5 MILLION TREE PROGRAM COORDINATOR**  
11 **WITHIN THE DEPARTMENT.**

12                   **(II) THE PRIMARY RESPONSIBILITY OF THE PROGRAM**  
13 **COORDINATOR IS TO PROMOTE, FACILITATE, AND ALIGN THE STATE’S EFFORTS TO**  
14 **ACHIEVE THE GOALS ESTABLISHED UNDER SUBSECTION (A)(1) OF THIS SECTION.**

15                   **(III) ON OR BEFORE DECEMBER 1 EACH YEAR, THE PROGRAM**  
16 **COORDINATOR SHALL:**

17                   **1. CONSOLIDATE DATA ON TREE PLANTINGS FROM**  
18 **MULTIPLE SOURCES; AND**

19                   **2. REPORT, IN ACCORDANCE WITH § 2-1257 OF THE**  
20 **STATE GOVERNMENT ARTICLE, TO THE SENATE EDUCATION, HEALTH, AND**  
21 **ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE ENVIRONMENT AND**  
22 **TRANSPORTATION COMMITTEE ON THE STATE’S PROGRESS TOWARD MEETING THE**  
23 **GOALS ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION.**

24                   **(C) THE GOVERNOR SHALL FORMALLY PLEDGE THE STATE’S COMMITMENT**  
25 **TO ACHIEVING THE GOALS ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION**  
26 **THROUGH THE U.S. CHAPTER OF THE WORLD ECONOMIC FORUM’S ONE TRILLION**  
27 **TREES INITIATIVE.**

28   **Article – Natural Resources**

29                   8-2A-02.

30                   (a) There is a Chesapeake and Atlantic Coastal Bays 2010 Trust Fund.

31                   (f) (1) The Fund may be used only for the implementation of nonpoint source  
32 pollution control projects to:

1 (i) Support State and local watershed implementation plans by  
2 targeting limited financial resources on the most effective nonpoint source pollution control  
3 projects; and

4 (ii) Improve the health of the Atlantic Coastal Bays and their  
5 tributaries.

6 (2) It is the intent of the General Assembly that, when possible, moneys in  
7 the Fund shall be granted to local governments and other political subdivisions for  
8 agricultural, forestry, stream and wetland restoration, and urban and suburban  
9 stormwater nonpoint source pollution control projects, including up to 25% in matching  
10 funds to local governments and other political subdivisions that have enacted a stormwater  
11 remediation fee under § 4-202.1 of the Environment Article.

12 **(3) IN EACH FISCAL YEAR FROM 2022 THROUGH 2030, INCLUSIVE,**  
13 **\$1,250,000 FROM THE FUND SHALL BE USED TO FUND:**

14 **(I) THE 5 MILLION TREE PROGRAM COORDINATOR POSITION**  
15 **IN THE DEPARTMENT OF THE ENVIRONMENT; AND**

16 **(II) 13 CONTRACTOR POSITIONS IN THE FOREST SERVICE OF**  
17 **THE DEPARTMENT TO PROVIDE TECHNICAL ASSISTANCE, PLANNING, AND**  
18 **COORDINATION RELATED TO TREE PLANTINGS ON PUBLIC, PRIVATE, AND**  
19 **AGRICULTURAL LANDS AND IN “UNDERSERVED AREAS” AS DEFINED IN § 8-1911 OF**  
20 **THIS ARTICLE.**

21 8-2A-04.

22 (a) The BayStat Program shall direct the administration of the Trust Fund in  
23 accordance with this section.

24 (c) (1) The BayStat Program shall distribute funds from the Trust Fund to the  
25 BayStat Subcabinet agencies in accordance with the final work and expenditure plans.

26 (2) The BayStat Subcabinet agencies shall administer the funds in  
27 accordance with the final work and expenditure plans, including the distribution of funds:

28 (i) Through grants to:

- 29 1. Counties;
- 30 2. Bicounty agencies;
- 31 3. Municipalities;

- 4. Forest conservancy district boards;
- 5. Soil conservation districts;
- 6. Academic institutions; and
- 7. Nonprofit organizations having a demonstrated ability to implement nonpoint source pollution control projects;

(ii) To the Chesapeake and Atlantic Coastal Bays Nonpoint Source Fund established under § 9–1605.3 of the Environment Article;

(iii) To the Maryland Agricultural Cost–Share Program established under Title 8, Subtitle 7 of the Agriculture Article for nonpoint source pollution control projects; [and]

**(iv) TO THE GREEN SHORES PROGRAM ESTABLISHED UNDER § 5–429 OF THIS ARTICLE; AND**

**(v) To the Mel Noland Woodland Incentives Fund established under § 5–307 of this article.**  
8–1901.

- (a) In this part the following words have the meanings indicated.
- (b) “Board” means the Board of Trustees of the Chesapeake Bay Trust.
- (c) “Trust” means the Chesapeake Bay Trust.

**8–1911.**

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

**(2) “PROGRAM” MEANS THE URBAN TREES PROGRAM.**

**(3) “QUALIFIED ORGANIZATION” MEANS:**

- (I) A NONPROFIT ORGANIZATION;**
- (II) A SCHOOL;**
- (III) A COMMUNITY ASSOCIATION;**

- 1 (IV) A SERVICE, YOUTH, OR CIVIC GROUP;
- 2 (V) AN INSTITUTION OF HIGHER EDUCATION;
- 3 (VI) A COUNTY OR MUNICIPALITY; OR
- 4 (VII) A FOREST CONSERVANCY DISTRICT BOARD.

5 (4) "UNDERSERVED AREA" MEANS AN AREA OF THE STATE FALLING  
6 WITHIN THE BOUNDARIES OF:

7 (I) AN URBAN AREA, AS DELINEATED BY THE UNITED STATES  
8 CENSUS BUREAU; AND

9 (II) 1. A NEIGHBORHOOD THAT WAS, AT ANY POINT IN TIME,  
10 REDLINED OR GRADED AS "HAZARDOUS" BY THE HOME OWNERS' LOAN  
11 CORPORATION;

12 2. A CENSUS TRACT WITH AN AVERAGE RATE OF  
13 UNEMPLOYMENT FOR THE MOST RECENT 24-MONTH PERIOD FOR WHICH DATA ARE  
14 AVAILABLE THAT EXCEEDS THE AVERAGE RATE OF UNEMPLOYMENT FOR THE  
15 STATE; OR

16 3. A CENSUS TRACT WITH A MEDIAN HOUSEHOLD  
17 INCOME FOR THE MOST RECENT 24-MONTH PERIOD FOR WHICH DATA ARE  
18 AVAILABLE THAT IS EQUAL TO OR LESS THAN 75% OF THE MEDIAN HOUSEHOLD  
19 INCOME FOR THE STATE DURING THAT PERIOD.

20 (B) THERE IS AN URBAN TREES PROGRAM ADMINISTERED BY THE TRUST.

21 (C) THE PURPOSE OF THE PROGRAM IS TO PLANT NATIVE SPECIES OF  
22 TREES IN UNDERSERVED AREAS, IN FURTHERANCE OF THE GOALS ESTABLISHED  
23 UNDER § 2-1212 OF THE ENVIRONMENT ARTICLE.

24 (D) (1) THE TRUST SHALL MAKE GRANTS TO QUALIFIED ORGANIZATIONS  
25 FOR TREE-PLANTING PROJECTS IN UNDERSERVED AREAS.

26 (2) ELIGIBLE PROGRAM EXPENSES INCLUDE PERSONNEL COSTS,  
27 SUPPLIES, SITE PREPARATION, AND OTHER EXPENSES AND MATERIALS RELATED TO  
28 PLANNING, IMPLEMENTING, AND MAINTAINING TREE-PLANTING PROJECTS IN  
29 UNDERSERVED AREAS.

30 (E) (1) THE PROGRAM SHALL BE FUNDED WITH:

1                   **(I) THE AMOUNT SPECIFIED IN § 9-1605.2(I)(11)(I) OF THE**  
2 **ENVIRONMENT ARTICLE; AND**

3                   **(II) ANY ADDITIONAL FUNDS THAT MAY BE ALLOCATED BY THE**  
4 **TRUST THROUGH ITS ANNUAL BUDGET PROCESS.**

5                   **(2) THE TRUST SHALL SEEK FEDERAL FUNDS AND GRANTS AND**  
6 **DONATIONS FROM PRIVATE SOURCES TO BE MADE TO THE TRUST FOR THE PURPOSE**  
7 **OF THE PROGRAM.**

8                   **(F) A GRANT AGREEMENT REGARDING FUNDS FROM THE TRUST FOR THE**  
9 **PROGRAM SHALL:**

10                   **(1) SPECIFY THE ALLOWED USE OF THE FUNDS PROVIDED UNDER**  
11 **THE GRANT; AND**

12                   **(2) INCLUDE PROVISIONS FOR VERIFICATION THAT TREE-PLANTING**  
13 **PROJECTS ARE BEING IMPLEMENTED AND MAINTAINED AS PLANNED.**

14                   **(G) ON OR BEFORE OCTOBER 1 EACH YEAR, THE TRUST SHALL REPORT TO**  
15 **THE DEPARTMENT AND THE DEPARTMENT OF THE ENVIRONMENT ON THE GRANTS**  
16 **AWARDED BY THE PROGRAM DURING THE IMMEDIATELY PRECEDING FISCAL YEAR,**  
17 **INCLUDING:**

18                   **(1) THE NAMES AND DESCRIPTIONS OF GRANT RECIPIENTS;**

19                   **(2) THE NUMBER AND LOCATION OF TREES PLANTED BY GRANT**  
20 **RECIPIENTS; AND**

21                   **(3) ANY OTHER INFORMATION REQUIRED BY THE DEPARTMENT OR**  
22 **THE DEPARTMENT OF THE ENVIRONMENT.**

23                   SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
24 as follows:

25   **Article – Environment**

26                   9-1605.2.

27                   (i) (1) In this subsection, “eligible costs” means the additional costs that would  
28 be attributable to upgrading a wastewater facility to enhanced nutrient removal, as  
29 determined by the Department.

1 (2) Funds in the Bay Restoration Fund shall be used only:

2 (xii) For costs associated with the implementation of alternate  
3 compliance plans authorized in § 4–202.1(k)(3) of this article; [and]

4 (xiii) After funding any eligible costs identified under item (iv)1 and 2  
5 of this paragraph, for costs associated with the purchase of cost-effective nitrogen,  
6 phosphorus, or sediment load reductions in support of the State's efforts to restore the  
7 health of the Chesapeake Bay, not to exceed \$4,000,000 in fiscal year 2018, \$6,000,000 in  
8 fiscal year 2019, and \$10,000,000 per year in fiscal years 2020 and 2021; AND

9 (XIV) AFTER FUNDING ANY ELIGIBLE COSTS IDENTIFIED UNDER  
10 ITEM (IV)1 AND 2 OF THIS PARAGRAPH, FOR THE TRANSFERS REQUIRED UNDER  
11 PARAGRAPH (11) OF THIS SUBSECTION.

12 (11) (I) IN FISCAL YEARS 2022 THROUGH 2030 THE DEPARTMENT  
13 SHALL TRANSFER FROM THE BAY RESTORATION FUND:

14 1. \$10,000,000 PER FISCAL YEAR TO THE CHESAPEAKE  
15 BAY TRUST FOR THE URBAN TREES PROGRAM ESTABLISHED UNDER § 8–1911 OF  
16 THE NATURAL RESOURCES ARTICLE;

17 2. \$2,500,000 PER FISCAL YEAR TO THE CHESAPEAKE  
18 AND ATLANTIC COASTAL BAYS 2010 TRUST FUND IN THE DEPARTMENT OF  
19 NATURAL RESOURCES, TO BE USED, SUBJECT TO THE REQUIREMENTS OF  
20 SUBPARAGRAPH (II) OF THIS PARAGRAPH, FOR TREE PLANTING ON PUBLIC AND  
21 PRIVATE LAND; AND

22 3. \$2,500,000 PER FISCAL YEAR TO THE MARYLAND  
23 DEPARTMENT OF AGRICULTURE TO FUND TREE PLANTINGS UNDER THE  
24 CONSERVATION RESERVE ENHANCEMENT PROGRAM IN ACCORDANCE WITH §  
25 8–706 OF THE AGRICULTURE ARTICLE AND OTHER TREE-PLANTING PROGRAMS ON  
26 AGRICULTURAL LAND.

27 (II) FUNDS TRANSFERRED TO THE CHESAPEAKE AND  
28 ATLANTIC COASTAL BAYS 2010 TRUST FUND UNDER SUBPARAGRAPH (I)2 OF THIS  
29 PARAGRAPH:

30 1. MAY BE DISTRIBUTED IN ACCORDANCE WITH §  
31 8–2A–04(C)(2) OF THE NATURAL RESOURCES ARTICLE;

32 2. MAY BE USED TO COVER THE COSTS OF:

33 A. SITE PREPARATION, LABOR, AND MATERIALS FOR

1 TREE-PLANTING PROJECTS;

2 B. MAINTAINING TREES FOLLOWING A TREE-PLANTING  
3 PROJECT; AND

4 C. LANDOWNER INCENTIVE PAYMENTS OR SIGNING  
5 BONUSES OF UP TO \$1,000 PER ACRE OF TREES PLANTED;

6 3. MAY NOT BE USED TO PLANT TREES INTENDED FOR  
7 TIMBER HARVEST; AND

8 4. MAY BE USED ONLY FOR TREE PLANTINGS ON  
9 PRIVATE LAND IF THE LANDOWNER ENTERS INTO A BINDING LEGAL AGREEMENT TO  
10 MAINTAIN THE PLANTED AREA IN TREE COVER FOR AT LEAST 15 YEARS.

11 (III) FUNDS TRANSFERRED FROM THE BAY RESTORATION FUND  
12 UNDER THIS PARAGRAPH ARE SUPPLEMENTAL TO AND MAY NOT TAKE THE PLACE  
13 OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR THE PROGRAMS AND  
14 INITIATIVES SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.

15 SECTION 6. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
16 as follows:

17 Article – Environment

18 9–1605.2.

19 (i) (1) In this subsection, “eligible costs” means the additional costs that would  
20 be attributable to upgrading a wastewater facility to enhanced nutrient removal, as  
21 determined by the Department.

22 (2) Funds in the Bay Restoration Fund shall be used only:

23 (xi) Subject to the allocation of funds and the conditions under  
24 subsection (h) of this section, for projects related to the removal of nitrogen from on-site  
25 sewage disposal systems and cover crop activities; [and]

26 (xii) For costs associated with the implementation of alternate  
27 compliance plans authorized in § 4–202.1(k)(3) of this article; AND

28 (XIII) AFTER FUNDING ANY ELIGIBLE COSTS IDENTIFIED UNDER  
29 ITEM (IV)1 AND 2 OF THIS PARAGRAPH, FOR THE TRANSFERS REQUIRED UNDER  
30 PARAGRAPH (10) OF THIS SUBSECTION.

31 (10) (I) IN FISCAL YEARS 2022 THROUGH 2030 THE DEPARTMENT

1 SHALL TRANSFER FROM THE BAY RESTORATION FUND:

2 1. \$10,000,000 PER FISCAL YEAR TO THE CHESAPEAKE  
3 BAY TRUST FOR THE URBAN TREES PROGRAM ESTABLISHED UNDER § 8-1911 OF  
4 THE NATURAL RESOURCES ARTICLE;

5 2. \$2,500,000 PER FISCAL YEAR TO THE CHESAPEAKE  
6 AND ATLANTIC COASTAL BAYS 2010 TRUST FUND IN THE DEPARTMENT OF  
7 NATURAL RESOURCES, TO BE USED, SUBJECT TO THE REQUIREMENTS OF  
8 SUBPARAGRAPH (II) OF THIS PARAGRAPH, FOR TREE PLANTING ON PUBLIC AND  
9 PRIVATE LAND; AND

10 3. \$2,500,000 PER FISCAL YEAR TO THE MARYLAND  
11 DEPARTMENT OF AGRICULTURE TO FUND TREE PLANTINGS UNDER THE  
12 CONSERVATION RESERVE ENHANCEMENT PROGRAM IN ACCORDANCE WITH §  
13 8-706 OF THE AGRICULTURE ARTICLE AND OTHER TREE-PLANTING PROGRAMS ON  
14 AGRICULTURAL LAND.

15 (II) FUNDS TRANSFERRED TO THE CHESAPEAKE AND  
16 ATLANTIC COASTAL BAYS 2010 TRUST FUND UNDER SUBPARAGRAPH (I)2 OF THIS  
17 PARAGRAPH:

18 1. MAY BE DISTRIBUTED IN ACCORDANCE WITH §  
19 8-2A-04(C)(2) OF THE NATURAL RESOURCES ARTICLE;

20 2. MAY BE USED TO COVER THE COSTS OF:

21 A. SITE PREPARATION, LABOR, AND MATERIALS FOR  
22 TREE-PLANTING PROJECTS;

23 B. MAINTAINING TREES FOLLOWING A PLANTING  
24 PROJECT; AND

25 C. LANDOWNER INCENTIVE PAYMENTS OR SIGNING  
26 BONUSES OF UP TO \$1,000 PER ACRE OF TREES PLANTED;

27 3. MAY NOT BE USED TO PLANT TREES INTENDED FOR  
28 TIMBER HARVEST; AND

29 4. MAY BE USED ONLY FOR TREE PLANTINGS ON  
30 PRIVATE LAND IF THE LANDOWNER ENTERS INTO A BINDING LEGAL AGREEMENT TO  
31 MAINTAIN THE PLANTED AREA IN TREE COVER FOR AT LEAST 15 YEARS.



1                   **(III) FUNDS TRANSFERRED FROM THE BAY RESTORATION FUND**  
2 **UNDER THIS PARAGRAPH ARE SUPPLEMENTAL TO AND MAY NOT TAKE THE PLACE**  
3 **OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR THE PROGRAMS AND**  
4 **INITIATIVES SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

5           SECTION 7. AND BE IT FURTHER ENACTED, That:

6           (a)     There is a Commission for the Innovation and Advancement of Carbon  
7 Markets and Sustainable Tree Plantings.

8           (b)     The Commission consists of the following members:

9                   (1)     the Secretary of the Environment, or the Secretary's designee;

10                  (2)     the Secretary of Natural Resources, or the Secretary's designee;

11                  (3)     the Secretary of Agriculture, or the Secretary's designee;

12                  (4)     the State Treasurer, or the State Treasurer's designee;

13                  (5)     one representative of the Maryland Association of Counties, selected by  
14 the Maryland Association of Counties;

15                  (6)     one representative of the Maryland Municipal League, selected by the  
16 Maryland Municipal League;

17                  (7)     one representative of the Commission on Environmental Justice and  
18 Sustainable Communities, appointed by the Commission on Environmental Justice and  
19 Sustainable Communities;

20                  (8)     one representative of the Chesapeake Bay Foundation, appointed by  
21 the Chesapeake Bay Foundation;

22                  (9)     one representative of the Maryland League of Conservation Voters,  
23 appointed by the Maryland League of Conservation Voters;

24                  (10)    one representative of Blue Water Baltimore, appointed by Blue Water  
25 Baltimore;

26                  (11)    one representative of the Maryland Chapter of the Nature  
27 Conservancy, selected by the Maryland Chapter of the Nature Conservancy;

28                  (12)    one representative of the Maryland Farm Bureau, selected by the  
29 Maryland Farm Bureau;

30                  (13)    one researcher from the University of Maryland, College Park, who has  
31 expertise in forestry-based carbon sequestration, selected by the President of the

1 University of Maryland, College Park;

2 (14) one representative of Patapsco Heritage Greenway, selected by  
3 Patapsco Heritage Greenway; and

4 (15) the President of the Maryland Forestry Foundation, or the President's  
5 designee.

6 (c) The Secretary of the Environment, or the Secretary's designee, shall chair the  
7 Commission.

8 (d) The Department of the Environment and, as necessary, the Department of  
9 Natural Resources shall provide staff for the Commission.

10 (e) A member of the Commission:

11 (1) may not receive compensation as a member of the Commission; but

12 (2) is entitled to reimbursement for expenses under the Standard State  
13 Travel Regulations, as provided in the State budget.

14 (f) (1) The Commission shall develop:

15 (i) a plan to achieve the State's carbon mitigation goal of planting  
16 5,000,000 native trees by 2030 in accordance with § 2-1212 of the Environment Article, as  
17 enacted by Section 4 of this Act;

18 (ii) a plan to ensure that trees planted under this Act are properly  
19 maintained;

20 (iii) recommendations regarding the establishment of a  
21 Maryland-based carbon offset market to support the State's tree-planting goals; and

22 (iv) recommendations on reviewing State policies to reduce and fully  
23 mitigate the clearing of trees during the construction of State highways and other  
24 transportation projects.

25 (2) The plans and recommendations shall include:

26 (i) science-based guidelines to inform a State strategy for using  
27 trees to maximize carbon sequestration, mitigate heat deserts, and improve water and air  
28 quality;

29 (ii) recommendations regarding potential planting sites, including  
30 the impact that planting trees at these sites will have on agricultural and other private  
31 land and associated ecological services;

1 (iii) a strategy for ensuring that at least 500,000 trees are planted in  
2 underserved areas, in accordance with § 2–1212 of the Environment Article, as enacted by  
3 Section 4 of this Act;

4 (iv) a list of native tree species that will be planted;

5 (v) a review of existing programs and current resource capacity for  
6 tree plantings;

7 (vi) a plan for expanding or creating new capacities necessary to  
8 achieve the State’s tree–planting goals;

9 (vii) an analysis of trees scheduled to be cut down and the impact that  
10 will have on carbon sequestration;

11 (viii) an overview and analysis of logistical and policy barriers to  
12 achieving the State’s tree–planting goals;

13 (ix) a plan for seeking private capital to support tree plantings and  
14 forest conservation in the State;

15 (x) a plan for establishing a State–based carbon offset market to  
16 support the State’s tree–planting goals;

17 (xi) recommendations for policy changes necessary to facilitate the  
18 use of the Water Quality Revolving Loan Fund and Environmental Impact Bonds for tree  
19 plantings; and

20 (xii) a plan for reviewing future transportation procurement to  
21 minimize and fully mitigate tree clearing.

22 (g) On or before October 31, 2022, the Commission shall report its plan and  
23 recommendations to the Governor and, in accordance with § 2–1257 of the State  
24 Government Article, the General Assembly.

25 SECTION 8. AND BE IT FURTHER ENACTED, That, subject to the availability of  
26 funding in the climate solutions account of the Strategic Energy Investment Fund, in fiscal  
27 years 2022 through 2030, inclusive, the Governor shall appropriate \$6,000,000 per fiscal  
28 year from the account to the Net–Zero School Loan Fund.

29 SECTION 9. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take  
30 effect June 1, 2021. It shall remain effective for a period of 4 years and 1 month and, at the  
31 end of June 30, 2025, Section 2 of this Act, with no further action required by the General  
32 Assembly, shall be abrogated and of no further force and effect.

33 SECTION 10. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall  
34 take effect June 1, 2021. It shall remain effective for a period of 9 years and 1 month and,

1 at the end of June 30, 2030, Section 4 of this Act, with no further action required by the  
2 General Assembly, shall be abrogated and of no further force and effect.

3 SECTION 11. AND BE IT FURTHER ENACTED, That Section 6 of this Act shall  
4 take effect on the taking effect of the termination provision specified in Section 5 of  
5 Chapters 366 and 367 of the Acts of the General Assembly of 2017. If that termination  
6 provision takes effect, Section 6 of this Act, with no further action required by the General  
7 Assembly, shall be abrogated and of no further force and effect. This Act may not be  
8 interpreted to have any effect on that termination provision.

9 SECTION 12. AND BE IT FURTHER ENACTED, That Section 7 of this Act shall  
10 take effect June 1, 2021. It shall remain effective for a period of 2 years and 1 month and,  
11 at the end of June 30, 2023, Section 7 of this Act, with no further action required by the  
12 General Assembly, shall be abrogated and of no further force and effect.

13 SECTION 13. AND BE IT FURTHER ENACTED, That, except as provided in  
14 Sections 9 through 12 of this Act, this Act shall take effect June 1, 2021.