

SENATE BILL 81

L1, M5

(PRE-FILED)

2lr0820
CF HB 61

By: **Senator Feldman**

Requested: October 19, 2021

Introduced and read first time: January 12, 2022

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Charter Counties – Enforcement of Local Building Performance Laws**
3 **(Building Energy Performance Standards Act of 2022)**

4 FOR the purpose of authorizing charter counties to provide for the enforcement of certain
5 local building energy performance laws by imposing certain fines; and generally
6 relating to building energy performance laws.

7 BY repealing and reenacting, without amendments,

8 Article – Local Government

9 Section 10–201

10 Annotated Code of Maryland

11 (2013 Volume and 2021 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Local Government

14 Section 10–202

15 Annotated Code of Maryland

16 (2013 Volume and 2021 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Local Government**

20 10–201.

21 This subtitle applies only to charter counties.

22 10–202.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) A county may enact local laws and may repeal or amend any local law enacted
2 by the General Assembly on any matter covered by the express powers in this title.

3 (b) A county may provide for the enforcement of an ordinance, a resolution, a
4 bylaw, or a regulation adopted under this title:

5 (1) by civil fines not exceeding \$1,000; or

6 (2) by criminal fines and penalties not exceeding \$1,000 and imprisonment
7 not exceeding 6 months.

8 (c) A county may provide for the enforcement of local fair housing laws by fines
9 or penalties that do not exceed the fines or penalties provided in the federal Fair Housing
10 Act Amendments of 1988 for enforcement of similar federal fair housing laws.

11 (d) A county may provide for the enforcement of local employment discrimination
12 laws or public accommodations discrimination laws by civil fines not exceeding \$5,000 for
13 any offense.

14 **(E) (1) IN THIS SUBSECTION, "GROSS FLOOR AREA" MEANS THE TOTAL**
15 **INDOOR PROPERTY SQUARE FOOTAGE MEASURED BETWEEN THE PRINCIPAL**
16 **EXTERIOR SURFACES OF THE ENCLOSING FIXED WALLS OF A BUILDING.**

17 **(2) (I) A COUNTY MAY PROVIDE FOR THE ENFORCEMENT OF**
18 **BUILDING ENERGY PERFORMANCE LAWS BY CIVIL FINES NOT EXCEEDING \$10 PER**
19 **SQUARE FOOT OF GROSS FLOOR AREA.**

20 **(II) IN DETERMINING THE AMOUNT OF A CIVIL FINE IMPOSED**
21 **UNDER THIS SUBSECTION, THE COUNTY SHALL CONSIDER THE ASSESSED VALUE OF**
22 **THE PROPERTY FOR ANY OFFENSE.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2022.