

SENATE BILL 330

P2, L6
SB 592/20 – EHE

(PRE-FILED)

11r0627
CF 11r1845

By: **Senator West**

Requested: September 17, 2020

Introduced and read first time: January 13, 2021

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **State-Funded Construction and Major Renovation Projects – Solar Panels –**
3 **Requirement**

4 FOR the purpose of requiring the State, for certain construction projects and major
5 renovation projects proposed after a certain date, to require that the project be
6 designed, engineered, and constructed in a manner that allows the roof to withstand
7 the weight of solar panels; requiring certain construction projects and major
8 renovation projects to include the installation of the maximum number of solar
9 panels for which the project was designed; requiring the Maryland Green Building
10 Council to provide certain recommendations; stating the intent of the General
11 Assembly; providing for the application of certain provisions of this Act; defining
12 certain terms; and generally relating to State-funded construction and major
13 renovation projects.

14 BY renumbering

15 Article – State Finance and Procurement
16 Section 3–602.2
17 to be Section 3–602.3
18 Annotated Code of Maryland
19 (2015 Replacement Volume and 2020 Supplement)

20 BY adding to

21 Article – State Finance and Procurement
22 Section 3–602.2
23 Annotated Code of Maryland
24 (2015 Replacement Volume and 2020 Supplement)

25 BY repealing and reenacting, with amendments,

26 Article – State Finance and Procurement
27 Section 4–809(f)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2015 Replacement Volume and 2020 Supplement)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
4 That Section(s) 3–602.2 of Article – State Finance and Procurement of the Annotated Code
5 of Maryland be renumbered to be Section(s) 3–602.3.

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

8 **Article – State Finance and Procurement**

9 **3–602.2.**

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

12 (2) “CONSTRUCTION PROJECT” MEANS THE CONSTRUCTION OF A
13 NEW BUILDING THAT IS PROPOSED TO HAVE A ROOF EXPANSE OF 4,000 OR MORE
14 SQUARE FEET.

15 (3) (I) “MAJOR RENOVATION PROJECT” MEANS THE RENOVATION
16 OF AN EXISTING BUILDING WHERE:

17 1. THE BUILDING IS TO BE RECONSTRUCTED AND
18 REUSED AFTER THE RENOVATION;

19 2. THE HEATING, VENTILATION, AND AIR
20 CONDITIONING, ELECTRICAL, AND PLUMBING SYSTEMS ARE TO BE REPLACED; AND

21 3. THE RECONSTRUCTED BUILDING WILL HAVE A ROOF
22 EXPANSE OF 4,000 OR MORE SQUARE FEET.

23 (II) “MAJOR RENOVATION PROJECT” DOES NOT INCLUDE A
24 PROJECT WHERE REPLACEMENT OF A ROOF IS THE ONLY OR PRIMARY OBJECTIVE
25 OF THE PROJECT.

26 (4) (I) “OBSTRUCTION” INCLUDES AN ACCESS HATCH AND
27 ROOF–MOUNTED INFRASTRUCTURE DESIGNED FOR:

28 1. HEATING;

29 2. VENTILATION;

1 **3. AIR CONDITIONING; OR**

2 **4. PLUMBING.**

3 **(II) "OBSTRUCTION" DOES NOT INCLUDE PIPING OR AN**
4 **ELECTRICAL CONDUIT IF SOLAR PANELS CAN BE MOUNTED ABOVE THE PIPING OR**
5 **ELECTRICAL CONDUIT.**

6 **(5) "PUBLIC ENTITY" MEANS A UNIT OF STATE GOVERNMENT OR A**
7 **POLITICAL SUBDIVISION OF THE STATE.**

8 **(6) "ROOF EXPANSE" MEANS THE FLAT SURFACE AREA OF THE ROOF,**
9 **MINUS THE AREA COVERED BY ANY OBSTRUCTIONS.**

10 **(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**
11 **THIS SECTION APPLIES ONLY TO A CONSTRUCTION PROJECT OR MAJOR**
12 **RENOVATION PROJECT THAT RECEIVES STATE FUNDS PERFORMED BY:**

13 **(I) A PUBLIC ENTITY; OR**

14 **(II) A NONPUBLIC ENTITY IN ACCORDANCE WITH ITS DUTIES**
15 **UNDER A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT WITH A PUBLIC ENTITY.**

16 **(2) THIS SECTION DOES NOT APPLY TO A CONSTRUCTION PROJECT**
17 **OR MAJOR RENOVATION PROJECT THAT RECEIVES STATE FUNDS AS THE RESULT OF:**

18 **(I) AN AWARD OF A GRANT UNDER A MISCELLANEOUS GRANT**
19 **PROGRAM;**

20 **(II) A LOCAL HOUSE OF DELEGATES INITIATIVE; OR**

21 **(III) A LOCAL SENATE INITIATIVE.**

22 **(C) (1) (I) FOR EACH CONSTRUCTION PROJECT OR MAJOR**
23 **RENOVATION PROJECT PROPOSED AFTER DECEMBER 31, 2021, THE STATE SHALL**
24 **REQUIRE THAT THE PROJECT BE DESIGNED, ENGINEERED, AND CONSTRUCTED IN A**
25 **MANNER THAT ALLOWS THE ROOF TO WITHSTAND THE WEIGHT OF SOLAR PANELS.**

26 **(II) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE**
27 **DESIGN OF A CONSTRUCTION PROJECT OR MAJOR RENOVATION PROJECT MAXIMIZE**
28 **THE NUMBER AND EFFICIENCY OF SOLAR PANELS THAT MAY BE PLACED ON THE**
29 **ROOF.**

1 **(2) A CONSTRUCTION PROJECT OR MAJOR RENOVATION PROJECT TO**
2 **WHICH PARAGRAPH (1) OF THIS SUBSECTION APPLIES SHALL INCLUDE THE**
3 **INSTALLATION OF THE MAXIMUM NUMBER OF SOLAR PANELS FOR WHICH THE**
4 **CONSTRUCTION PROJECT OR MAJOR RENOVATION PROJECT WAS DESIGNED.**

5 4–809.

6 (f) The Maryland Green Building Council shall:

7 (1) evaluate current high performance building technologies;

8 (2) provide recommendations concerning the most cost-effective green
9 building technologies that the State might consider requiring in the construction of State
10 facilities, including consideration of the additional cost associated with the various
11 technologies;

12 (3) provide recommendations concerning how to expand green building in
13 the State;

14 (4) develop a list of building types for which green building technologies
15 should not be applied, taking into consideration the operational aspects of facilities
16 evaluated, and the utility of a waiver process where appropriate;

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

18 (6) develop guidelines for new public school buildings to achieve the
19 equivalent of the current version of the U.S. Green Building Council’s LEED (Leadership
20 in Energy and Environmental Design) Green Building Rating System Silver rating or a
21 comparable rating system or building code as authorized in § 3–602.1 of this article without
22 requiring an independent certification that the buildings have achieved the required
23 standards; **AND**

24 **(7) PROVIDE RECOMMENDATIONS FOR DESIGN CONSIDERATIONS**
25 **CONSISTENT WITH THE STATEMENT OF INTENT IN § 3–602.2 OF THIS ARTICLE.**

26 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2021.