

SENATE BILL 299

P3, M5, M1
SB 314/19 – EHE

0lr1905
CF HB 192

By: **Senators Lam, Guzzone, Kagan, and Patterson**

Introduced and read first time: January 22, 2020

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Department of General Services – Energy-Conserving Standards**
3 **(Maryland Sustainable Buildings Act of 2020)**

4 FOR the purpose of requiring the Department of General Services to establish and
5 periodically update certain standards for State buildings to conserve energy and
6 minimize adverse impacts on birds; requiring each State building constructed,
7 acquired, or substantially altered by the State to meet the standards to the extent
8 practicable and within budgetary constraints; requiring the Department to reduce
9 the lighting of existing State buildings in a certain manner; requiring the Secretary
10 of General Services to adopt certain regulations; establishing that certain
11 requirements do not apply to certain contracts or projects; defining “State building”;
12 and generally relating to the construction, alteration, or acquisition of State
13 buildings.

14 BY repealing and reenacting, without amendments,
15 Article – State Finance and Procurement
16 Section 4–101
17 Annotated Code of Maryland
18 (2015 Replacement Volume and 2019 Supplement)

19 BY adding to
20 Article – State Finance and Procurement
21 Section 4–410.1
22 Annotated Code of Maryland
23 (2015 Replacement Volume and 2019 Supplement)

24 Preamble

25 WHEREAS, The amount of glass used in new building construction is increasing
26 dramatically in Maryland and worldwide; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



WHEREAS, The increase in the use of glass in buildings threatens to undo energy conservation efforts, cost the State money, and contribute to climate change and biodiversity loss; and

WHEREAS, Adopting building standards to protect birds will reduce energy consumption by approximately 40% or more, making State buildings more sustainable and saving taxpayers money; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – State Finance and Procurement

4–101.

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

(b) “Department” means the Department of General Services.

(c) “Secretary” means the Secretary of General Services.

4–410.1.

(A) IN THIS SECTION, “STATE BUILDING” MEANS:

**(1) A BUILDING ACQUIRED THROUGH ANY MEANS BY THE STATE FOR
USE BY A STATE AGENCY OR DEPARTMENT;**

**(2) A BUILDING CONSTRUCTED OR RENOVATED BY OR FOR THE STATE
FOR OCCUPANCY BY A STATE AGENCY OR DEPARTMENT; OR**

**(3) A BUILDING ACQUIRED, CONSTRUCTED, OR RENOVATED FOR
WHICH MORE THAN 50% OF THE MONEY FOR THE ACQUISITION, CONSTRUCTION, OR
RENOVATION CAME FROM STATE FUNDS.**

(B) THIS SECTION DOES NOT APPLY TO:

(1) A PUBLIC WORK CONTRACT OF LESS THAN \$500,000;

**(2) A PUBLIC WORK CONTRACT FOR WHICH 50% OR LESS OF THE
FUNDS USED FOR THE PROJECT ARE STATE FUNDS; OR**

**(3) A PROJECT FOR WHICH FUNDING IS PROVIDED IN THE CAPITAL
BUDGET AS A GRANT TO A NONPROFIT ORGANIZATION.**

(C) (1) THE DEPARTMENT SHALL ESTABLISH STANDARDS FOR STATE

BUILDINGS TO CONSERVE ENERGY AND MINIMIZE ADVERSE IMPACTS ON BIRDS THAT ARE CONSISTENT WITH GREEN BUILDING COUNCIL LEED PILOT CREDIT 55 FOR REDUCING BIRD COLLISIONS AND THE AMERICAN BIRD CONSERVANCY BIRD-FRIENDLY DESIGN RECOMMENDATIONS.

(2) THE DEPARTMENT SHALL UPDATE THE STANDARDS DEVELOPED UNDER PARAGRAPH (1) OF THIS SUBSECTION EVERY 5 YEARS.

(3) THE STANDARDS DEVELOPED UNDER THIS SUBSECTION SHALL SPECIFY THAT, EXCEPT WHERE FULL OPERATION OF BUILDING LIGHTING IS DOCUMENTED AS NECESSARY, INCLUDING FOR PUBLIC SAFETY OR OTHER PURPOSES, INTERIOR AND EXTERIOR LIGHTING SHALL BE APPROPRIATELY SHIELDED AND MINIMIZED FROM MIDNIGHT TO DAWN EACH DAY:

(I) FROM MARCH 1 THROUGH MAY 31, BOTH INCLUSIVE; AND

(II) FROM AUGUST 1 THROUGH OCTOBER 31, BOTH INCLUSIVE.

(D) EACH STATE BUILDING CONSTRUCTED, SUBSTANTIALLY ALTERED, OR ACQUIRED BY THE STATE SHALL MEET, TO THE EXTENT PRACTICABLE AND WITHIN BUDGETARY CONSTRAINTS AS DETERMINED BY THE DEPARTMENT, THE STANDARDS ESTABLISHED UNDER SUBSECTION (C) OF THIS SECTION.

(E) THE DEPARTMENT SHALL REDUCE THE LIGHTING OF EXISTING STATE BUILDINGS, TO THE EXTENT PRACTICABLE AND WITHIN BUDGETARY CONSTRAINTS AS DETERMINED BY THE DEPARTMENT:

(1) IN ACCORDANCE WITH SUBSECTION (C)(3) OF THIS SECTION; AND

(2) BY USING AUTOMATIC CONTROL TECHNOLOGIES, INCLUDING TIMERS, PHOTOSENSORS, INFRARED DETECTORS, AND MOTION DETECTORS.

(F) THE SECRETARY SHALL ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.