2022 LEGISLATIVE UPDATE

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Built Environment & Energy Advisory Committee (BEEAC)

February 17, 2022

Metropolitan Washington
Council of Governments

2022 COG Legislative Priorities

Climate and Energy Innovation & Air Quality Protection

- Support Policies to Meet the Region's Climate Goals

- Ensure Sustainable Secure Energy Access for All

- Support Aggressive State Renewable Portfolio Standards

- Expand Clean Energy Innovation, Technology and Finance

- Support the Transportation Climate Imitative in designing and taking action to reduce Greenhouse gases

- Enhance Incentives and Financing Mechanisms for Resilient Infrastructure

- Support Policies that Preserve and Protect Regional Air Quality and Public Health

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CEEPC Legislative Committee

- CEEPC's Legislative Committee is a small group of local government CEEPC members who periodically meet with staff to review legislative initiatives in D.C., Maryland, and Virginia.

- COG staff track various bills during the legislative session that fall within COG's legislative priorities.

- A series of ad hoc calls are held to determine specific bills to send comment letters on.

- The committee primarily runs from January – April.

- The next meeting is **Friday, February 18th**

Legislature Timeline

- Virginia

  o Session convened January 12. 60-day session. Crossover is February 15. adjournment date is March 12.

- Maryland

  o Session convened January 12. 90-day session. Crossover is March 21, 2021. Adjournment date is April 11.

- D.C.

  o 2-year session 2021-22.

Virginia

- Virginia Governor Youngkin issued an Executive Order to re-evaluate Virginia's participation in the Regional Greenhouse Gas Initiative (RGGI).

- The Executive Order states the following:

  o Provide Governor Youngkin a full report re-evaluating the costs and benefits of participation in RGGI in view of all available data, within 30 days.

  o During this same period, develop a proposed emergency regulation for the State Air Pollution Control Board's consideration to repeal 9VAC5-140.

  o During this same period, take all necessary steps to so that any proposed regulation the State Air Pollution Control Board can be immediately presented for consideration for approval for public comment in accordance with the Board's authority pursuant to §10.1-1308 of the Code of Virginia.

  o During this same period, notify RGGI of the review and the Governor's intent to withdraw from RGGI, whether by legislative or regulatory action.

Virginia – RGGI Bills

- CEEPC's Legislative Subcommittee sent comment letters opposing the repeal of the Clean Energy and Community Flood Preparedness Act

  o HB 1301 (Kilgore) SB 532 (Stuart): Repeals the Clean Energy and Community Flood Preparedness Act, directs the Director of the DEQ to suspend the Commonwealth's participation in the Regional Greenhouse Gas Initiative market-based trading program

    - **HB 1301 passed the House, SB failed in the Senate**

  o HB 892 (Kilgore) & SB 398 (McDougle): Establishes a reserve account for the purchase of Regional Green House Gas Initiative (RGGI)

    - **HB 892 passed in the House, SB failed in the Senate**

Virginia – Additional Comment Letters

- Opposition comment letter to delaying the implementation of the Advanced Clean Cars Program

    o HB 1267 (Wilt): Pushing back the start of the program from 2025 to 2030

        o **Passed in the House**

- Support for expansion of building codes provisions and standards

    o HB 701 (Kory) & HB 905 (Lopez): Allowing localities to use/create more stringent building codes – **Both Bills Failed in the House**

- Support for Electrification and Green Banks

    o HB 568 (Kory): Allowing localities to enter regional green bank agreements – **Failed in the House**

    o **HB 708 (Keam):** Use of state funds for the Virginia Electric Vehicle Grant Program – **Failed in the House**

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Maryland

- CEEPC's Legislative Committee has sent 2 comment letters supporting increased resiliency funding

  - HB 31 (Charkoudian) & SB 256 (Beidle) – Establishes the Resiliency Hub Grant Program and Fund in the Maryland Energy Administration

  - HB 100 (Soloman) & SB 14 (Elfreth) – Establishing the Sustainable Maryland Program Fund

- Further Climate Legislation under review

  - SB 528 (Pinsky & All) – Climate Solutions Now Act 2022 reduce statewide greenhouse gas (GHG) emissions by 60% (previously 40%) from 2006 levels by 2030, achieve net-zero statewide GHG emissions by 2045.

  - HB 708 (Barve & Stein) – Comprehensive Climate Solutions

  - HB 806 (Stein & Barve) – Building Standards and Emissions Reductions – High Performance, State, and Local Government Buildings, State Operations, and Eligible Projects

  - HB 831 (Stein & Barve) – Requiring DoE to establish building emissions standards for certain commercial and residential buildings

Maryland

- Further Building and Electrification Legislation under review

  o HB 61 / SB 81 (Feldman) – Enables Charter Counties to increase civil fines for the enforcement of local building energy performance laws

  o HB 894 (Chair, Environment and Transportation Committee (By Request - Departmental - Maryland Energy Administration) –Transportation Electrification and Modernization (TEAM) Act. Altering the Electric Vehicle Recharging Equipment Rebate Program by extending the duration of the Program, increasing the total amount of rebates issued under the Program

  o HB 829 (Love) & SB 687 (Young, Lam & Washington) – Establishing requirements for the sale of new zero-emission medium and heavy duty vehicles in the State.

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District of Columbia

- B24-0420 - Clean Energy DC Building Code Amendment Act of 2021 (Pinto, Nadeau, Henderson, Lewis George, Allen, and Cheh)

  o Would require that all new construction be subject to the District's voluntary net zero energy standard known as Appendix Z by a date certain.

- B24-0267- Climate Commitment Act of 2021 (Cheh, Allen, R. White, Nadeau, Lewis George, Henderson, Pinto, and Chairman Mendelson)

  o Codify the 2050 carbon neutrality commitment, as well as add interim targets for greenhouse gas reductions between 2025 and 2050.

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