

JOINT COMMITTEE ON TELECOMMUNICATIONS, UTILITIES, AND ENERGY

BILL SUMMARY

BILL NO. H.3529

TITLE: An Act relative to building energy and decarbonization

SPONSOR: Representative Joan Meschino

COMMITTEE: Telecommunications, Utilities, and Energy

HEARING DATE: September 25, 2025

PRIOR HISTORY: 2023-2024: H.3192, heard by TUE, accompanies a study order, H.4778
2021-2022: H.3350, heard by TUE, no further action taken.

CURRENT LAW:

Chapter 25A of the General Laws pertains to the Department of Energy Resources (DOER)

Section 10 of Chapter 25A of the General Laws pertains to the division of green communities within DOER.

Section 20 of Chapter 25A of the General Laws pertains to large building energy usage, reporting requirements, the publication of energy usage data, and penalties for noncompliance.

SUMMARY:

Section 1 sets the following requirements for communities to qualify as a green plus community:

- File an application with the division in a form and manner prescribed by the division
- Establish a greenhouse gas (GHG) emissions baseline inventory for residential, commercial and industrial buildings sited within the municipality, this may also include transportation, waste, and other sources of emissions
- Put in place a comprehensive plan whose implementation begins within 1 year from the date of initial participation in the program, designed to reduce the GHG baseline inventory by a % approved by the division that is not less than 20% within 5 years
- Adopt the municipal opt-in specialized stretch energy code
- Fulfill qualifications as outlined above or be served by a municipal lighting plant (MLP)

This section also gives preference to municipalities that include additional source of emissions within their GHG emissions baseline inventory. The division is required to adopt a tracking system for community-wide GHG emissions within one year of the adoption of this section.

Section 2 increases the funding for the green communities program in any fiscal year from \$20,000,000 to \$40,000,000 with no less than \$10,000,000 going to green plus communities.

Section 3 inserts definitions of building emissions and building emissions intensity into Section 20 of chapter 25A.

Section 4 adds 3 new subsection to subsection (e) of section 20 of Chapter 25A

- (e ¼): requires DOER to promulgate regulations that establish annual carbon intensity limits on building emissions or a building energy performance standard or a combination thereof for large buildings in alignment with the emissions limits and sublimits pursuant to Chapter 21N.
- (e ½): requires DOER to promulgate regulations for alternative methods of compliance with the building emissions intensity limits, energy use performance standards or a combination thereof. This includes adjustments for the use of on-site renewable energy generation, adjustments for special categories of buildings, accommodations or support for buildings housing low- or moderate-income occupants, and alternative compliance payments (ACPs). ACPs are to be established so that low- and moderate-income households and small businesses are charged reduced amounts and the division is required to establish fines for non-compliance. Both the ACPs and fines are to be deposited into the building energy retrofit program.
- (e ¾): states that after a building is deemed a large building, it shall not exceed the annual building performance limits.

Section 5 requires materials to be available in English and other language commonly spoken in MA and requires outreach to include a list of city, state, federal, private and utility incentive programs related to building energy reduction, renewable energy, or building retrofits.

Section 6 amends said section 20 by requiring DOER to establish standards for collecting data on large buildings from approved municipal programs and shall not require owners of buildings in those municipalities to separately report their data to DOER. DOER is further directed to adopt regulations that allow municipalities to adopt their own large building reporting requirements.

Section 7 inserts 3 new sections in Chapter 25A:

- Section 21: Establishes a grant and loan program within DOER known as the Building Energy and Emissions Retrofit Funding Program for the purposes of encouraging and supporting building owners to invest in deep energy retrofits and whole-building energy performance upgrades to reduce GHG emissions, create healthier homes and buildings and in alignment with the emissions limits and sublimits under chapter 21N. Conversions from one fossil fuel system to another or additions of fossil fuel systems or infrastructure shall not be funded by said program. This program is to be developed by relevant state agencies and DOER is required to design and implement the program, promote the program and promulgate rules and regulations for the administration of this section.
- Section 22: Establishes the Building Energy Retrofit Trust Fund and directs the DOER commissioner to create and administer the fund.
- Section 23: Directs the DOER commissioner to establish a net zero building advisory council with a focus on supporting development of net-zero buildings in the commonwealth in alignment with the targets established in Chapter 21N. This bill sets the make-up of the council and meeting requirements.

Sections 8 & 9 repeals Section 23 of Chapter 25A as inserted by this Act on January 1, 2030.

\