

Department of Legislative Services  
 Maryland General Assembly  
 2026 Session

FISCAL AND POLICY NOTE  
 First Reader

House Bill 1459 (Delegate Jacobs, *et al.*)  
 Environment and Transportation

Public Safety - Stationary Energy Storage Systems

This bill requires an owner or operator of a stationary energy storage system to pay for specialized fire response training, including specialized equipment for battery energy fire suppression, for each local fire department that has fire suppression responsibilities in the area in which the stationary energy storage systems is located. The fire response training must comply with the National Fire Protection Association (NFPA) 855 Standard for the Installation of Stationary Energy Storage System. The State Fire Marshal must administer and enforce the bill and may adopt related regulations.

Fiscal Summary

**State Effect:** General fund expenditures increase by \$154,900 in FY 2027; future years reflect annualization. General fund expenditures increase further (not reflected below) to the extent State entities that own or operate stationary energy storage systems must submit payments to local governments, as discussed below. Revenues are not affected.

(in dollars)	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	154,900	180,700	189,200	197,700	206,400
Net Effect	(\$154,900)	(\$180,700)	(\$189,200)	(\$197,700)	(\$206,400)

*Note: ( ) = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease*

**Local Effect:** Local government revenues and expenditures increase to the extent they receive and spend funding from the owners or operators of stationary energy storage systems on specified training and equipment, as discussed below

**Small Business Effect:** Potential meaningful.

## Analysis

**Current Law:** The State Fire Marshal in the Department of State Police (DSP) must enforce all laws of the State relating to, among other things, the prevention of fire and the installation and maintenance of equipment intended to control, detect, or extinguish fire. The State Fire Marshal must also enforce regulations adopted by the State Fire Prevention Commission in DSP, which must adopt comprehensive regulations as a State Fire Prevention Code. The commission adopted by reference, subject to some exceptions noted in the regulations, the NFPA 1 Fire Code (2024 Edition), the NFPA 101 Life Safety Code (2024 Edition), and some requirements of the International Building Code as the State Fire Prevention Code. The State Fire Prevention Code has the force and effect of law in the political subdivisions of the State, and enforcement is the responsibility of the State Fire Marshal, a legally designated fire official of a county or municipality of the State, or other persons legally appointed by the State Fire Marshal (as specified under the Public Safety Article).

Among other things, NFPA 101 Life Safety Code (2024 Edition) requires that energy storage systems be in accordance with NFPA 855 (Standard for the Installation of Stationary Energy Storage Systems). NFPA 855 generally provides for the installation of stationary energy storage systems and related fire and explosion protection equipment. NFPA 855 (2026 Edition) defines “energy storage system” as one or more devices, assembled together, capable of storing energy to supply electrical energy at a future time, and defines “stationary energy storage system” as an energy storage system that is permanently installed as fixed equipment.

### **State Expenditures:**

#### *Office of the State Fire Marshal Costs*

Though NFPA 855 (2026 Edition) provides a general definition of “stationary energy storage system,” neither it nor the bill specify the size, energy storage capacity, or other related information to specify which stationary energy storage systems in the State could fall under the bill’s requirements. As a result, it is assumed for the purposes of this analysis that *every* owner of a stationary energy storage system in the State must comply, including owners of non-commercial systems, such as rooftop solar panels with a connected stationary energy storage system. The Department of Legislative Services advises that the bill does not provide any penalty provisions for the owners of stationary energy storage systems that are found to not be in compliance with the bill’s requirements, nor does it require registration of such systems.

As the bill does not include any mechanism for the Office of the State Fire Marshal (OSFM) to become aware of existing energy storage systems that are subject to the bill, but still

requires OSFM to enforce the bill’s provisions, this analysis assumes that OSFM uses a complaint-based enforcement model. DSP advises that OSFM requires additional administrative support as it cannot enforce the bill’s requirements with existing resources and the Department of Legislative Services concurs.

Therefore, general fund expenditures increase by \$154,909 in fiscal 2027, which accounts for the bill’s October 1, 2026 effective date. This estimate reflects the cost of hiring one program manager and one program assistant to track complaints to OSFM, coordinate site visits to jurisdictions, develop the necessary fire response training, and implement any related regulations. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Positions	2.0
Salaries and Fringe Benefits	\$136,627
Operating Expenses	<u>18,282</u>
<b>Total FY 2027 DSP Expenditures</b>	<b>\$154,909</b>

Future year expenditures reflect full salaries with annual increases and employee turnover as well as annual increases in ongoing operating expenses. To the extent there are a significant number of violations that OSFM must investigate and the additional staff are not sufficient, OSFM may request additional resources through the annual budget process.

*Stationary Energy Storage Systems on State Property*

According to the Department of General Services, [some State entities](#) own or operate stationary energy storage systems, such as the Department of Natural Resources building in Annapolis and the Maryland Aviation Administration at the Baltimore-Washington International Airport. As a result, general fund expenditures increase to the extent State entities that own or operate stationary energy storage systems must submit payments to local fire departments. However, as it is unknown how many such systems are owned by State entities, and the amount of any payment is dependent on local governments making such a determination, any estimate of those expenditures is not feasible.

**Local Fiscal Effect:** Local government revenues increase to the extent they receive payments from the owners or operators of stationary energy storage systems in their jurisdictions. Local government expenditures increase for specialized fire training and equipment. However, as it is unknown how many stationary energy storage systems exist in the State and how much the owners or operators of stationary energy storage systems must pay to local governments, any estimate of those effects is not feasible.

**Small Business Effect:** Any small business owning or operating a stationary energy storage system must submit payment to local governments for specialized fire response training and specialized equipment for battery energy fire suppression.

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### **Additional Information**

**Recent Prior Introductions:** Similar legislation has been introduced within the last three years. See SB 636 and HB 1046 of 2023.

**Designated Cross File:** SB 986 (Senator McKay) - Rules.

**Information Source(s):** Baltimore City; Calvert, Howard, and Prince George's counties; City of Annapolis; Department of General Services; Department of State Police; Maryland Energy Administration; Public Service Commission; National Fire Protection Association; Department of Legislative Services

**Fiscal Note History:** First Reader - March 11, 2026  
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