



# The Better Buildings Act

Reducing fossil fuel use and promoting energy efficiency in large buildings

*An Act relative to better buildings*

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Buildings are responsible for a large share of Massachusetts' global warming pollution. Burning oil and gas in residential and commercial buildings — primarily for heating and hot water — produces 35% of our greenhouse gas emissions, and electricity is responsible for an additional 20% of emissions.<sup>1</sup>

Pollution from fossil fuels also harms our health, contributing to asthma, heart attack, premature birth, and a host of other health problems. People living near Springfield experienced 38 days with elevated levels of ozone or particulate pollution in 2020, while those living around Worcester experienced 46 days with elevated air pollution.<sup>2</sup>

To protect public health and prevent the worst impacts of climate change, we must reduce the amount of energy used in our buildings, while transitioning away from polluting sources of energy toward clean, renewable resources like solar and wind.

Large buildings — including office buildings, apartment buildings, and hospital and university campuses — are responsible for a disproportionate share of energy use in the building sector. Reducing energy use in large buildings is one way to make rapid progress toward a pollution-free future, while helping renters and small business tenants save money on their utility bills.

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<sup>1</sup> "Appendix C: Massachusetts Annual Greenhouse Gas Emissions Inventory: 1990-2020, with Partial 2021 & 2022 Data," Massachusetts Department of Environmental Protection, <<https://www.mass.gov/lists/massdep-emissions-inventories>>.

<sup>2</sup> *Trouble in the Air: Millions of Americans breathed polluted air in 2020*, Environment America Research & Policy Center, U.S. PIRG Education Fund and Frontier Group, 4 October 2021, <<https://environmentamerica.org/center/resources/trouble-in-the-air/>>.

## How can we reduce energy use in large buildings?

We can reduce energy use in our buildings by installing more efficient appliances and lighting, reducing heat loss through walls and windows, and encouraging tenants to adopt energy-saving behaviors. We can replace heating and cooling systems with efficient electric technologies like heat pumps. We can install rooftop solar panels to generate clean, renewable electricity on site.

The building code requires new buildings to be built to a minimum energy efficiency standard, but there are no statewide requirements for existing buildings to become more efficient. A study in Boston projected that 85% of the square footage that will exist in 2050 has already been built.<sup>3</sup>

In August 2022, the Legislature took an important first step by requiring the owners of large buildings to report their energy use on an annual basis. The data collected through this policy will help inform efforts to make those buildings more energy-efficient.

The Better Buildings Act will set performance standards for large buildings and require the owners of inefficient buildings to reduce their energy use and greenhouse gas emissions over time. Boston has adopted performance standards for large buildings similar to those proposed in the Better Buildings Act. The states of Colorado, Washington, and Maryland, along with cities from St. Louis to Denver, have also adopted building performance standards.

## What will the Better Buildings Act do?

- The Better Buildings Act will apply only to large buildings with at least 20,000 square feet of floor area.
- DOER will establish performance standards for different types of large buildings, based on either energy use or greenhouse gas emissions per square foot. DOER will set a final building performance standard for the year 2050 and interim standards for each five-year period, consistent with meeting Massachusetts' greenhouse gas emission reduction targets.
- Owners of buildings that fail to meet the performance standards may pay an alternative compliance fee. Building owners may also propose a customized "building performance action plan" for DOER's approval.
- Cities and towns can establish their own performance standards for large buildings, similar to the existing program in Boston.

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<sup>3</sup> *Carbon Free Boston Summary Report*, Boston Green Ribbon Commission, 2019, <[https://www.greenribboncommission.org/wp-content/uploads/2019/01/FINAL\\_CFB\\_SummaryRpt\\_FEB19.pdf](https://www.greenribboncommission.org/wp-content/uploads/2019/01/FINAL_CFB_SummaryRpt_FEB19.pdf)>.