



Comparison of U.S. Commercial Building Energy Benchmarking and Transparency Policies

January 2026

Government	Policy Information					Policy Schedule		Additional Elements		Status Updates
State/City/County	Year Enacted	# of Bldgs	Sq. Ft.	Covered Bldgs List Available	Types of Real Estate and Sizes (Sq. Ft.)	Reporting to Gov't	Transparency	Water Tracking	Enforcement	Benchmarking Data Available
CA	2015	495,000	4B	No	Comm ≥ 50,000, MF ≥ 50,000 and 17 or more residential utility accounts	June 1, Annual	After June 1, Annual	TRUE	The Commission has the authority to institute civil fines of up to \$2,000 for non-compliance, after allowing a 30-day period to correct a violation.	See here
CO	2021	8,800	1.2B	Yes	Comm, MF, & Public/Gov't ≥ 50,000	June 1, 2025. November 1 annually, starting in 2026 with 2025 benchmarking year data.	Annual, Date TBD Time of sale or lease	FALSE	A building owner who fails to submit a benchmarking report, waiver request, or the corresponding fee (\$100/building by June 1), will be considered non-compliant and subject to civil penalties of \$500 for the first violation and \$2,000 for each subsequent violation.	-
MA	2024	34,300	2.8B	No	Comm, MF, & Public/Gov't ≥ 20,000	June 30, Annual	October 31, Annual	TRUE	If a distribution company or municipal utility fails to provide energy usage data for one or more covered buildings within 90 days of the issuance of a written notification, the Department may issue a fine of up to \$150 per covered building per day of non compliance.	-
MD	2022	13,400	1.1B	Yes	Comm, MF, & Public/Gov't ≥ 35,000	June 1, Annual	Time of sale	FALSE	N/A	-
MN	2023	7,400	1B	No	Comm, MF, & Public/Gov't ≥ 50,000	June 1 Annual	December 1, Annual	FALSE	\$1,000 ; may adjust with inflation.	-
NJ	2018	13,000	1.3B	Yes	Comm & MF ≥ 25,000	July 1, Annual	N/A	TRUE	Compliance with benchmarking considered prerequisite for participation in any of the NJ Board of Public Utility programs, as well as utility energy efficiency programs.	-
OR	2023	-	-	No	Comm ≥ 20,000 MF & Public/Gov't ≥ 35,000	"Tier 1 Buildings - June 1, Annual Tier 2 Buildings - July 1, 2028 and each year after"	-	FALSE	\$5,000 plus continuing violation which may not exceed a daily amount of \$1/yr/sf ft.	-
WA	2009	28,000	2.7B	No	MF & Comm ≥ 20,000 Public/Gov't ≥ 10,000	June 1, Annual	July 1, Annual	FALSE	The building owner will be assessed the maximum penalty of \$5000 plus a daily amount equal to \$1.00 per square foot of gross floor area per year not to exceed a value greater than eighteen months of accrued penalty.	-

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City of Ann Arbor (MI)	2021	600	46M	Yes	MF & Comm \geq 20,000 Public/Gov't \geq 10,000	June 1, Annual	December 1, Annual	TRUE	Failure to report or carries a maximum fine of \$500 for the first offense, and a maximum fine of \$1000 for each additional offense, plus the costs of prosecution. Knowingly reporting false information carries a maximum fine of \$500.	See here
City of Aspen (CO)	2022	400	5.66M	Yes	All Public/Gov't Comm \geq 5,000 MF \geq 15,000	June 1, Annual	January 30, Annual	TRUE	\$100 first offence, \$200 second, court appearance and court set fines thereafter.	See here
City of Atlanta (GA)	2015	2,400	350M	Yes	Comm & MF \geq 25,000 Public/Gov't \geq 10,000	June 1, Annual	September 1, Annual	TRUE	Failure to report will be noticed with a written warning (first violation); if not reported in the ensuing 30 days, a fine of \$1000 is imposed. Each year of non-compliance is considered a separate violation.	See here
City of Austin (TX)	2008	4,500	454M	No	Comm & MF \geq 10,000 All single family	June 1, Annual	Time of transaction	FALSE	Non-compliance carries a fine up to \$500. Acting with criminal negligence carries a fine up to \$2,000.	See here
City of Bedford (NY)	2024	-	-	No	All buildings with \geq 2 residential units	The initial benchmarking shall occur not later than the required completion date as set by the Town of Bedford after registration of the Residential Rental Property, or 3 years after this Chapter is re-enacted, whichever comes first.	September 1, Annual	TRUE	Maximum fee of \$5,000, imprisonment not exceeding 6 months, or both a fee and imprisonment. Each day a violation continues shall count as a separate offense.	-
City of Berkeley (CA)	2015	600	23M	Yes	Comm & Public/Gov't \geq 15,000 MF \geq 5 units or 15,000 All Single Family	July 1, Annual	N/A	TRUE	The instances for non-compliance will result in a fine of \$100 per violation, per day and may increase with subsequent citations to \$200 per violation, per day or \$500 per violation, per day.	See here
City of Boston (MA)	2013	5,600	360M	Yes	Comm \geq 35,000 MF \geq 35,000/35 units All Public/Gov't	May 15, Annual	Oct 1, Annual	TRUE	Failure to report benchmarking within 30 days of notice shall be subject to: a fine of \$300 a day for non-residential buildings \geq 35,000 sq. ft. or a parcel of buildings \geq 100,000 sq. ft. and for residential buildings \geq 35 units or 35,000 sq. ft.	See here
City of Boulder (CO)	2015	500	26M	Yes	Comm \geq 20,000 Public/Gov't \geq 5,000	N/A	June 1, the following year	FALSE	Non-compliance results in a civil penalty of \$0.0025 per square foot per day, not to exceed \$1,000 per day.	See here
City of Brisbane (CA)	2019	100	6.6M	Yes	MF & Comm \geq 10,000 Public/Gov't \geq 2,000	May 15, Annual	May 15, Annual	TRUE	Penalties for non-compliance will be enforced as follows: (1) A fine not exceeding \$100 for a first conviction; (2) A fine not exceeding \$200 for a second conviction; (3) A fine not exceeding \$500 for each additional conviction within 12 consecutive months.	See here

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City of Burlington (VT)	2024	-	-	No	Comm \geq 50,000	N/A	N/A	FALSE	A covered building that fails to begin the process of energy benchmarking or provide the required data is subject to a civil penalty of up to \$500 per violation per day. A fine may be delayed by up to 6 months if a covered building faces unique circumstances.	-
City of Cambridge (MA)	2014	1,300	86M	Yes	Comm \geq 25,000 sq ft, MF \geq 25,000 sq ft and 55 units, Public/Gov't \geq 10,000	May 1, Annual	December 31, Annual	TRUE	First violations will result in a written warning, and any subsequent violations carry a fine of up to \$300 per day.	See here
City of Chelsea (MA)	2022	300	23.75M	No	Comm & MF \geq 20,000, MF \geq 20 units	June 30, Annual	October 1, Annual	TRUE	Failure to report benchmarking requirements will result in a fine of \$50 for the first offense, \$150 for the second offense, \$300 for the third offense, as enforced by building inspectors.	-
City of Chicago (IL)	2013	3,500	900M	Yes	Comm, MF, & Public/Gov't \geq 50,000	June 1, Annual	After June 1, Annual	TRUE	A violation may be subject to a fine of up to \$100 for the first violation and an additional fine up to \$25 for each day the violation continues.	See here
City of Chula Vista (CA)	2021	650	23M	No	Comm, MF, & Public/Gov't \geq 20,000	May 20, Annual	N/A	FALSE	Monetary fines may be levied on a per-incident basis, dependent on the size of the property out of compliance. 20,000-49,999 sq. ft. - up to \$750 per incident 50,000-99,999 sq. ft. - up to \$1,500 per incident 100,000+ sq. ft. - up to \$2,250 per incident.	See here
City of Clayton (MO)	2025	60	-	No	Comm & MF \geq 100,000, Public/Gov't \geq 10,000	April 1, 2027 and annually thereafter	N/A	FALSE	Any violations to this ordinance shall result in a fine of not more than \$1,000 or be punished by imprisonment in jail for no more than 90 days, or a punishment of both fine and imprisonment. Each day of violation counts as a separate offense.	-
City of Columbus (OH)	2020	800	412M	Yes	Comm & MF \geq 50,000 Public/Gov't \geq 25,000	June 1, Annual	After June 1, Annual	TRUE	If benchmarking is not reported within 30 days after the deadline, a written notice is issued. 60 days after a written notice, the owner will be subject to fees and penalties of up to \$1000 per day of non-compliance.	See here
City of Denver (CO)	2016	3,000	375M	Yes	Comm, MF, & Public/Gov't \geq 25,000	June 1st	N/A	FALSE	\$2,000 per year benchmarking data is not submitted, data errors aren't fixed, or reporting inaccurate information.	See here
City of Des Moines (IA)	2019	800	-	No	Comm & Public/Gov't \geq 25,000 MF \geq 25,000 & 5 units	July 1, Annual	December 31, Annual	TRUE	The City of Des Moines will not be assessing any penalties for properties who are not in compliance with this ordinance.	See here
City of Detroit (MI)	2023	-	-	No	MF & Comm \geq 25,000 Public/Gov't \geq 10,000	June 1, Annual	For buildings 100,000 square feet or larger October 1st, 2025; For buildings 25,000 square feet or larger, October 1st, 2026	TRUE	Fine of up to \$10,000, per violation, with each day of non-compliance counting as a separate violation.	-

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City of Edina (MN)	2019	300	28.53M	Yes	Comm, MF, & Public/Gov't \geq 25,000	June 1, Annual	August 30, Annual	TRUE	Building owners will receive a written warning indicating why the building is noncompliant. The building owner has 45 business days to meet compliance or the city has cause for the denial, suspension, revocation or refusal to issue any applicable business.	See here
City of Evanston (IL)	2016	600	46M	Yes	Comm & MF \geq 20,000 Public/Gov't \geq 10,000	June 30, Annual	N/A	TRUE	\$100 per month of non-compliance 20 days after written notice of violation.	See here
City of Fort Collins (CO)	2018	1,400	38M	Yes	Comm, MF, & Public/Gov't \geq 5,000	June 1, Annual	Annual	TRUE	Failure to report will result in a notice of need to comply 30 days within the deadline. If failure to report continues, a notice of violation will be issued with a fine of \$3,000 for each year of non-compliance.	See here
City of Honolulu (HI)	2022	1,600	151M	Yes	Comm & MF \geq 25,000 Public/Gov't \geq 10,000	June 30, Annual	October 30th	TRUE	Fine up to \$1000 for failure to comply within the first 60 days of mailing of the notice of violation. An additional \$100 per day for each day the initial or updated benchmarking information is not reported to the department.	See here
City of Indianapolis (IN)	2021	2,000	292.5M	Yes	Comm & MF \geq 50,000 Public/Gov't \geq 25,000	June 1, Annual	Annually starting December 1st, 2025	TRUE	Failure to make benchmarking submission first offence = \$100. Failure to make benchmarking submission second offense = \$250. Penalties for non-compliance do not take effect until January 1st, 2026.	-
City of Kansas City (MO)	2015	1,400	400M	Yes	Comm & MF \geq 50,000 Public/Gov't \geq 10,000	May 1, Annual	September 1, Annual	TRUE	In the case of failure to report benchmarking, a written notice will be issued. If benchmarking information is not reported within 60 days of the written notice will be a violation and will result in a fine no less than \$50 but not more than \$500.	See here
Town of Lexington (MA)	2022	-	-	No	Comm & MF \geq 25,000, All Public/Gov't	May 15, Annual	October 1, Annual	TRUE	\$300 per violation.	See here
City of Los Angeles (CA)	2017	14,000	900M	Yes	Comm & MF \geq 20,000 Public/Gov't \geq 7,500	Jun 1, Annual	After Jun 1, Annual	TRUE	Failure to comply will result in a non-compliance fee of \$202. This fee is subject to a 250% late charge/collection fee after 30 days, and after 60 days will be subject to a 12% interest accrual.	See here
City of Madison (WI)	2023	800	66M	Yes	Comm \geq 25,000	N/A	N/A	FALSE	\$1,000 per 90 days of non-compliance.	-
City of Miami (FL)	2021	1,600	350M	No	Comm, MF, & Public/Gov't \geq 20,000	Jun 30, Annual	December 1, Annual	TRUE	Failure to report benchmarking or reporting inaccurate benchmarking may result in a fine of \$250 per day for a first time offense or \$500 per day for a repeat violation.	See here
City of Milwaukee (WI)	2024	800	107M	Yes	Comm & MF \geq 50,000, Public/Gov't \geq 10,000	June 30, 2026 and annually after	September 1, Annual	FALSE	Failure to comply with the benchmarking requirements shall be subject to a fine of \$1000 each 90 days of non-compliance. Falsifying data will result in fines of \$4,500 for the first violation, and \$6,500 for each subsequent violation.	-

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City of Minneapolis (MN)	2012	900	169M	Yes	Comm & MF \geq 50,000 Public/Gov't \geq 25,000	June 1, Annual	Aug 31, Annual	TRUE	"Information on penalties for non-compliance differ based on which source it comes from. The below are the penalties outlined in the municipal code. Failure to benchmark shall result in a warning notice. Failure to comply within 45 days of written noti"	See here
Montgomery County (MD)	2014	1,900	237M	Yes	Comm, MF, & Public/Gov't \geq 25,000	June 1, Annual	Oct 1, Annual	FALSE	"Failure to report is considered a Class A Violation. Class A civil violations are penalized with a \$500 fine for the initial offense, and additional \$750 fines for repeat offenses."	See here
City of New Orleans (LA)	2025	1,500	-	No	Comm & MF \geq 20,000, All Public/Gov't	May 31, Annual	December 1, Annual	FALSE	Failure to comply with the benchmarking requirement may result in fines between \$1,000 and \$3,000. Penalties will be waived in the first year a property is required to comply.	-
City of Newton (MA)	2024	400	25M	Yes	Commercial & Public/Gov't \geq 20,000	September 15, Annual	November 30, Annual	FALSE	Any violation to this ordinance shall be punishable by a fine of \$300 per day for each day the violation continues.	-
City of New York (NY)	2009	27,000	3.4B	Yes	Comm & MF \geq 25,000	June 30, Annual	September 1, Annual	TRUE	Failure to comply with benchmarking may result in a Notice of Violation by the Department; failure to submit by the June 30th deadline results in a penalty of \$500. Continued failure to report by the next quarterly deadline may result in additional violation.	See here
City of Oak Park (IL)	2023	1,000	-	No	Comm, MF, & Public/Gov't \geq 10,000	December 31	Annual	TRUE	Fine between \$20 and \$750 per day. Each day of non-compliance counts as a separate offence.	See here
City of Orlando (FL)	2016	800	122M	Yes	Comm & MF \geq 50,000 Public/Gov't \geq 10,000	May 1, Annual	September 1, Annual	TRUE	Properties that fail to comply will be notified by the city and publicly listed as non-compliant.	See here
City of Philadelphia (PA)	2012	2,900	400M	Yes	Comm & MF \geq 50,000 Public/Gov't \geq 10,000	June 30, Annual	After June 30, Annual	TRUE	Failure to report shall be subject to a fine of three hundred dollars \$300 during the first 30 days following the compliance date. Each day that the failure to comply following the initial 30 days shall constitute a separate violation, subject to a fine.	See here
City of Pittsburgh (PA)	2016	900	164M	Yes	Comm \geq 50,000 All Public/Gov't	N/A	After June 1, Annual	TRUE	Covered buildings that do not comply with benchmarking requirements will be publicly listed as being non-compliant on the city website.	-
City of Portland (ME)	2016	600	42M	Yes	Comm & MF \geq 20,000 Public/Gov't \geq 5,000	N/A	Sep 1, Annual	TRUE	The fines for non-compliance are \$20 per day.	See here
City of Portland (OR)	2015	1,100	98M	Yes	Comm \geq 20,000	N/A	October 1, Annual	FALSE	Failure to report benchmarking requirements or reporting inaccurate information shall be subject to a written notice on first violation, and a civil penalty of up to \$500 per 90 day period during which the violation continues.	See here

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City of Providence (RI)	2023	400	-	No	Comm & MF \geq 20,000 Public/Gov't \geq 10,000	May 25, Annual	October 15, Annual	FALSE	First violation - written warning. Second and subsequent violation: Covered properties \geq 50,000 sq ft - \$40 per day to a maximum of \$4,000 per year. Covered properties \geq 20,000 sq ft - \$30 per day to a maximum of \$3,000 per year.	-
City of Reno (NV)	2019	300	47M	Yes	Comm & MF \geq 30,000 Public/Gov't \geq 10,000	April 1, Annual	Annual	TRUE	Failure to report, or submitting incomplete or inaccurate information will result in a written notice. Failure to correct within 30 days of written notice may result in notice of violation and penalty of up to \$100.	See here
City of Salt Lake City (UT)	2017	800	82M	No	Comm \geq 25,000 Public/Gov't \geq 3,000	N/A	September 1, Annually	FALSE	The Director may issue up to 3 written notices of non-compliance to the owner, allowing owner to cure such noncompliance within 90 days after each notice of violation. After the third written notice of violation, the Director may impose a fine of up to \$50.	-
City of San Diego (CA)	2019	2,100	337M	Yes	Comm & Public/Gov't \geq 50,000 MF \geq 50,000 and 17+ residential utility accounts	June 1, Annual	After June 1, Annual	FALSE	Failure to comply may be prosecuted as a misdemeanor, subject to a fine not more than \$500 or imprisonment not exceeding 6 months, or both.	See here
City of San Francis-co (CA)	2011	2,600	308M	Yes	Comm & Public/Gov't \geq 10,000 MF \geq 50,000	May 1, Annual	After April 1, Annual	FALSE	Failure to submit a report for 30 days after the deadline will result in a written warning. If no report is filed within 45 days of written violation, then: buildings \geq 50,000 sq. ft. shall be fined up to \$100 a day for up to 25 days in a year.	See here
City of San Jose (CA)	2018	1,800	190M	Yes	Comm & MF \geq 20,000 Public/Gov't \geq 15,000	May 1, Annual	After May 1, Annual	TRUE	Buildings \leq 50,000 sq. ft. may be fined \$25 for each day of noncompliance, up to \$2,500 per calendar year. Buildings \geq 50,000 sq. ft. may be fined \$50 for each day of noncompliance, up to \$5,000 per calendar year.	See here
City of Seattle (WA)	2010	4,100	397M	Yes	Comm & MF \geq 20,000	June 1, Annual	After November 1, Annual	FALSE	Noncompliance fines for reporting year will be streamlined into a single Notice of Violation issued 90 days after the June 1st reporting deadline in place of quarterly accruing fines. Fines for properties between 20,000 and 50,000 sq ft will be \$2,000.	See here
City of St. Louis (MO)	2017	1,000	120M	Yes	Comm, MF, & Public/Gov't \geq 50,000	May 1, Annual	December 1, Annual	TRUE	Failure to comply shall result in a written warning. If benchmarking is not reported within 60 days of the issuance of written warning, it will be considered an offense and punishable via fine of not less than \$50 but not more than \$200.	See here
City of Washington (DC)	2008	5,800	493M	Yes	Comm & MF \geq 25,000 Public/Gov't \geq 10,000	May 1, Annual	May 1, Annual	TRUE	Failure to comply will result in a warning notice issued by the DOEE. Failure to provide updated data may lead to the issuance of a non-compliance penalty up to \$100 per day of non-compliance.	See here