

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

May 2025



Note: Government abbreviated as “Gov’t”; Multifamily abbreviated as “MF”; Commercial abbreviated as “Comm”

Government	Year Enacted	Policy Impact				Policy Schedule		Additional Elements		Status Updates
City/County/State		# of Bldgs	Sq. Ft. in millions	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	22,600	4 billion	No	Comm ≥ 50,000 MF ≥ 50,000 and 17 or more residential utility accounts	June 1, Annual	After June 1, Annual	Y	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.	Yes
CO	2021	8,830	1.23 billion	<a href="#">Yes</a>	MF, Comm, & Public/Gov’t ≥ 50,000	June 1, Annual	Annual, Date TBD Time of sale or lease	N	\$500 for first violation \$2000 for each subsequent violation	<a href="#">Yes</a>
MA	2022	-	-	-	MF, Comm, & Public/Gov’t ≥ 20,000	June 30, Annual	October 31	Y	Maximum of \$150 per day of non-compliance.	-
MD	2022	9,260	988	<a href="#">Yes</a>	Comm, MF, and Public/Gov’t ≥ 35,000	Deadline for 2025 extended to September 1. June 1, Annual thereafter	-	N	-	-
MN	2023	-	-	-	MF, Comm, & Public/Gov’t ≥ 50,000	June 1, Annual	December 1, Annual	N	\$1,000; may adjust with inflation	-
NJ	2018	13,000	1.3 billion	<a href="#">Yes</a>	MF & Comm ≥ 25,000	July 1, Annual	-	Y	Compliance with benchmarking considered prerequisite for participation in any of the NJ Board of Public Utility programs, as well as utility energy efficiency programs.	-
WA	2009	4,600	247	No	Public/Gov’t ≥ 10,000 sq. ft. Comm & MF ≥ 20,000 sq. ft.	June 1, Annual	Annual	N	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. Penalties are assessed for each compliance period. For applicants that submit a noncompliance mitigation plan and who submit documentation demonstrating completion, daily penalties will be assessed from the scheduled compliance date to the date of approval of compliance or conditional compliance. The penalty will be assessed at an amount not to exceed 30% of \$5000 plus a daily amount equal to \$0.20 per square foot of gross floor area per year.	Yes

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Ann Arbor MI	2021	300	37	Yes	MF & Comm ≥ 20,000 Public/Gov't ≥ 10,00	June 1, Annual	December 1, Annual	Y	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.	Yes
Aspen CO	2022	390	6	Yes	All Public/Gov't Comm ≥ 5,000 MF ≥ 15,000	June 1, Annual	January 30	Y	\$100 first offence, \$200 second, court appearance and court set fines thereafter.	Yes
Atlanta GA	2015	2,900	402	Yes	Comm & MF ≥ 25,000 Public/Gov't ≥ 10,000	June 1, Annual	September 1, Annual	Y	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.	Yes
Austin TX	2008	2,800	113	No	Comm & MF ≥ 10,000, All single family	June 1, Annual	Time of transaction	N	Non-compliance carries a fine up to \$500. Acting with criminal negligence carries a fine up to \$2,000.	Yes
Bedford NY	2024	-	-	No	All buildings with ≥ 2 residential units	-	September 1, Annually	Y	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.	No
Berkeley CA	2015	600	23	Yes	Comm ≥ 15,000 MF ≥ 5 units or 15,000 Public/Gov't ≥ 15,000 All Single Family	June 1, Annual July 1, Annual	No publication date	Y	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. If sale occurs, fines are still attributed to owner they were levied against.	Yes
Boston MA	2014	1,600	250	Yes	Comm ≥ 35,000 MF ≥ 35,000/35 units All Public/Gov't	May 15, Annual	Oct 1, Annual	Y	Failure to report benchmarking within 30 days of notice shall be subject to: <ul style="list-style-type: none"> <li>A fine of \$300 a day for non-residential buildings ≥ 35,000 sq. ft. or a parcel of buildings ≥ 100,000 sq. ft. and for residential buildings ≥ 35 units or 35,000 sq. ft.</li> <li>a fine of \$150 a day for non-residential buildings ≥ 20,000 sq. ft. but &lt; 35,000 sq. ft. and residential buildings with ≥ 15 units or 35,000 sq. ft.</li> </ul> In the case the information is found to be inaccurate, the owner shall be subject to a fine between \$1000 to \$5000. City buildings are exempt from penalties.	Yes
Boulder CO	2015	475	26	Yes	Comm ≥ 20,000 Public/Gov't ≥ 5,000	June 1, Annual	June 1, the following year	Y	Non-compliance results in a civil penalty of \$0.0025 per square foot per day, not to exceed \$1,000 per day.	Yes
Brisbane CA	2019	109	7	Yes	MF & Comm ≥ 10,000 Public/Gov't ≥ 2,000	May 15, Annual	May 15, Annual	Y	A violation may be subject to a fine of up to \$500 for each day the violation continues.	Yes

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Burlington VT	2024	-	-	No	Comm ≥ 50,000	-	-	N	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 and an undue burden in seeking to comply.	-
Cambridge MA	2014	1,100	78	Yes	Comm ≥ 25,000 sq ft, MF ≥ 25,000 sq ft and 55 units, Public/Gov't ≥ 10,00	December 31, Annual	Sept 1, Annual	Y	First violations will result in a written warning, and any subsequent violations carry a fine of up to \$300.	Yes
Chelsea MA	2022	300	24	-	Comm & MF ≥ 20,000, MF ≥ 20 units	June 30, Annual	October 1, Annual	Y	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.	-
Chicago IL	2013	3,500	900	Yes	Comm & MF, Public/Gov't ≥ 50,000	June 1, Annual	After June 1, Annual	N	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.	Yes
Chula Vista CA	2021	272	11	No	Comm, MF, & Public/Gov't ≥ 20,000	May 20, Annual	-	N	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 incideent	Yes
Clayton MO	2025	65	-	No	Comm & MF ≥ 100,000, Public/Gov't ≥ 10,000	April 1, 2027 and annual-ly thereafter	-	N	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.	-
Columbus OH	2020	2,166	268	No	Comm & MF ≥ 50,000, Public/Gov't ≥ 25,000	June 1, Annual	After June 1, Annual	Y	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.	Yes
Denver CO	2017	3,000	360	Yes	Comm & MF ≥ 25,000 Public/Gov't ≥ 25,000	June 1, Annual	No publication date	N	\$2,000 per year benchmarking data is not submitted, data errors aren't fixed, or reporting inaccurate information.	Yes
Des Moines IA	2019	840	-	Yes	Commercial & Public/Gov't ≥ 25,000 MF ≥ 25,000 & 5 units"	July 1, Annual	December 31, the year after benchmarking	Y	Late submissions (more than 30 days) will be charged a \$50 late fee. Failure to remediate non-compliance within 30 days will result in a \$300 violation fee. Subsequent violations will be charged a \$500 fee.	Yes
Detroit MI	2023	-	-	No	MF & Comm ≥ 25,000 Public/Gov't ≥ 10,000	June 1, Annual	October 1, Annual	Y	Fine of up to \$10,000, per violation, with each day of non-compliance counting as a separate violation.	-

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Edina MN	2019	270	29	Yes	Comm, MF, & Public/Gov't ≥ 25,000	June 1, Annual	August 30th, Annual	Y	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	Yes
Evanston IL	2016	557	45.6	Yes	Comm & MF ≥ 20,000 Public/Gov't ≥ 10,000	June 30, Annual	No publication date	Y	\$100 per month of non-compliance 20 days after written notice of violation.	Yes
Fort Collins CO	2018	2,250	47	Yes	Comm, MF, & Public/Gov't ≥ 5,000	June 1, Annual	Annual	Y	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.	Yes
Honolulu HI	2022	429	170	Yes	MF & Comm ≥ 25,000 Public/Gov't ≥ 10,000	June 30, Annual	October 30, Annual	Y	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, with civil fines not to exceed a total of \$5,000 per facility per reporting year.	Yes
Indianapolis IN	2021	2,000	290	Yes	Comm & MF ≥ 50,000 Public/Gov't ≥ 25,000	June 1, Annual	December 1, Annual	Y	Failure to make benchmarking submission first offence = \$100 Failure to make benchmarking submission second offence = \$250 Penalties for non-compliance do not take effect until January 1st, 2026.	No
Kansas City MO	2015	~1,500	~400	No	Comm & MF ≥ 50,000 Public/Gov't ≥ 10,000	May 1, Annual	Sept 1, Annual	Y	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. For continued violation, each additional day will be considered a separate offense. Fines would not exceed \$2,000 annually.	Yes
Lexington MA	2022	-	-	-	Comm & MF ≥ 25,000, All Public/Gov't	May 15, Annual	October 1, Annual	Y	\$300 per violation	Yes
Los Angeles CA	2016	1,908, or 1,400	900	No	Comm & MF ≥ 20,000 Public/Gov't ≥ 7,500	June 1, Annual	After June 1, Annual	Y	Failure to comply will result in a non-compliance fee of \$202.	Yes
Madison WI	2023	-	-	-	Comm ≥ 25,000	June 30, Annual	-	N	\$1,000 per 90 days of non-compliance.	-

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Milwaukee, WI	2024	820	107	Yes	Comm & MF ≥ 50,000, Public/Gov't ≥ 10,000	2025 deadline delayed till September 30th for Comm and Public/Gov't, and till June 30 2026 for MF. June 30 annual thereafter.	Class 1 buildings by September 30, 2025 and annually thereafter; Class 2 buildings by September 30, 2026 and annually thereafter.	N	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.	-
Miami FL	2021	2000	-	No	Comm, MF, & Public/Gov't ≥ 20,000	June 30, Annual	December 1, Annual	Y	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.	Yes
Minneapolis MN	2013	695	115	Yes	Comm & MF ≥ 50,000 Public/Gov't ≥ 25,000	June 1, Annual	Aug 31, Annual	Y	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 notice may be considered good cause for the denial, suspension, revocation, or refusal to issue a rental license, certificate of commercial building registration, or business license.	Yes
Montgomery County MD	2014	2,100	253	Yes	Comm, MF, & Public/Gov't ≥ 25,000	June 1, Annual	Oct 1, Annual	N	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.	Yes
New York City NY	2009	34,000	2,800	Yes	Comm & MF ≥ 25,000	Deadline for 2025 extended to June 30. May 1, Annual thereafter	Sept 1, Annual	Y	Failure to comply with benchmarking may result in a Notice of Violation by the Department; failure to submit by the May 1 deadline results in a penalty of \$500. Continued failure to report by the next quarterly deadline may result in additional violation penalties of \$500 per violation, up to \$2,000 a year. If a correction of a violation occurs within 60 days of notice, no civil penalty shall be imposed.	Yes
Oak Park IL	2023	-	-	-	Public/Gov't ≥ 10,000"	December 31	Annual, no month given	Y	Fine between \$20 and \$750 per day. Each day of non-compliance counts as a separate offence.	Yes
Orlando FL	2016	826	126	Yes	Comm & MF ≥ 50,000 Public/Gov't ≥ 10,000	May 1, Annual	Sep 1, Annual	Y	Properties that fail to comply will be notified by the city and publicly listed as non-compliant.	Yes
Philadelphia PA	2013	2,900	390	No	Comm, MF ≥ 50,000 Public/Gov't ≥ 10,000	Jun 30, Annual	After June 30, Annual	Y	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 of \$100 per day.	Yes

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Pittsburgh PA	2016	861	164	Yes	Comm ≥ 50,000 All Public/Gov't	June 1, Annual	After June 1, Annual	Y	Covered buildings that do not comply with benchmarking requirements will be publicly listed as being non-compliant on the city website.	Yes
Portland ME	2016	284	-	Yes	Comm & MF ≥ 20,000 Public/Gov't ≥ 5,000	May 1, Annual	September 1, Annual	Y	Failure to comply shall result in a written warning on first violation, and any subsequent or ongoing violations will be subject to a fine of \$20 per day.	Yes
Portland OR	2015	1,024	87	No	Comm ≥ 20,000	Apr 22, Annual	Oct 1, Annual	N	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.	Yes
Providence RI	2023	-	-	-	Comm & MF ≥ 20,000 Public/ Gov't ≥ 10,000	May 25, Annual	October 15, Annual	N	First violation - written warning Second and subsequent violation: Covered properties ≥ 50,000 sq ft - \$40 per day to a maximum of \$4,000 per year Covered properties ≥ 20,000 sq ft - \$30 per day to a maximum of \$3,000 per year	-
Reno NV	2019	125	19	Yes	Comm & MF ≥ 30,000 Public/Gov't ≥ 10,00	April 1, Annual	Annually, no month mentioned	Y	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. Failure to correct within 30 days of first violation may result in a second violation and penalty of \$250. Failure to correct within 30 days of second violation may result in a fine of up to \$500.	Yes
Salt Lake City UT	2017	1,211	124	No	Comm ≥ 25,000 Public/Gov't ≥ 3,000	May 1, Annual	September 1, Annual	N	The Director may issue up to 3 written notices of noncompliance 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 \$500.00 per violation thereafter not exceeding a total of \$1,000 annually.	No
San Diego CA	2019	2,210	-	Yes	Comm & Public/Gov't ≥ 50,000 MF ≥ 50,000 and 17+ residential utility accounts	June 1, Annual	After June 1, Annual	Y	Failure to comply may be prosecuted as a misdemeanor, subject to a fine not more than \$1000 or imprisonment not exceeding 6 months, or both.	Yes
San Francisco CA	2011	2,560	308	Yes	Comm ≥ 10,000 Public/Gov't ≥ 10,000 MF ≥ 50,000	May 1, Annual	After Apr 1, Annual	N	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 ≥ 50,000 sq. ft. shall be fined up to \$100 a day for up to 25 days in a year. Buildings < 49,999 sq. ft. shall be fined up to \$50 per day for up to 25 days in a year.	Yes

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San Jose CA	2018	2,500	250	Yes	Comm & MF ≥ 20,000 Public/Gov't ≥ 15,000	May 1, Annual	After May 1, Annual	Y	Buildings ≤ 50,000 sq. ft. may be fined \$25 for each day of noncompliance, up to \$2,500 per calendar year. Buildings ≥ 50,000 sq. ft. may be fined \$50 for each day of noncompliance, up to \$5,000 per calendar year.	No
Seattle WA	2010	3,666	394	No	Comm, MF, & Public/Gov't ≥ 20,000	June 1, Annual	After July 1, Annual	N	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; Fines for properties greater than 50,000 sq. ft. will be \$4,000.	Yes
St. Louis MO	2017	983	100	Yes	Comm & MF ≥ 50,000 Public/Gov't ≥ 50,000	May 1, Annual	December 1, Annual	Y	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. Each day of violation is considered a separate offense. No cumulative fine should exceed \$1000 annually.	Yes
Washington DC	2008	2,900	403	Yes	Comm & MF ≥ 50,000 Public/Gov't ≥ 10,000	May 1, Annual	After May 1, Annual	Y	Failure to comply will result in a warning notice issued by the DOE. Failure to provide updated data may lead to the issuance of a fun up to \$100 per day of non-compliance.	Yes