

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

December 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 | 49,500 | 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 | 8,800 | 1.2 billion | 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 | N | 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 | Yes |
| MA | 2022 | 34,300 | 2.8 billion | - | Comm, MF, & Public/Gov’t ≥ 20,000 | June 30, Annual | October 31, Annual | Y | 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 | - |
| MD | 2022 | 13,400 | 1.1 billion | Yes | Comm, MF, & Public/Gov’t ≥ 35,000 | June 1, Annual | Time of sale | N | N/A | - |
| MN | 2023 | 7,400 | 1 billion | - | Comm, MF, & Public/Gov’t ≥ 50,000 | June 1 Annual | December 1, Annual. | N | \$1,000 ; may adjust with inflation | - |
| NJ | 2018 | 1,3000 | 1,301,948,493 | Yes | Comm & MF ≥ 25,000 | July 1, Annual | N/A | 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. | - |
| OR | 2023 | - | - | - | Comm ≥ 20,000 MF & Public/Gov’t ≥ 35,00 | "Tier 1 Buildings - June 1, Annual Tier 2 Buildings - July 1, 2028 and each year after" | - | N | \$5,000 plus continuing violation which may not exceed a daily amount of \$1/yr/sf ft | - |

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| WA | 2009 | 2,8000 | 2.7 billion | No | MF & Comm ≥ 20,000 Public/Gov't ≥ 10,00 | June 1, Annual | July 1, 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. | - |
| Ann Arbor MI | 2021 | 600 | 46 | 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 | 400 | 5,663,952 | Yes | All Public/Gov't Comm ≥ 5,000 MF ≥ 15,000 | June 1, Annual | January 30, Annual | Y | \$100 first offence, \$200 second, court appearance and court set fines thereafter. | Yes |
| Atlanta GA | 2015 | 2,400 | 350 | 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 | 4,500 | 454 | 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 | 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 | 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 million | Yes | Comm & Public/Gov't ≥ 15,000 MF ≥ 5 units or 15,000 All Single Family | July 1, Annual | N/A | 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 |

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| Boston MA | 2014 | 5,600 | 360 | 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">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.a fine of \$150 a day for non-residential buildings ≥ 20,000 sq. ft. but < 35,000 sq. ft. and residential buildings with ≥ 15 units or 35,000 sq. ft. 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 | 500 | 26 million | Yes | Comm ≥ 20,000 Public/Gov't ≥ 5,000 | N/A | 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 | 100 | 6.6 million | 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 |
| Burlington VT | 2024 | - | - | No | Comm ≥ 50,000 | N/A | N/A | 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 | 1,300 | 86 | Yes | Comm ≥ 25,000 sq ft, MF ≥ 25,000 sq ft and 55 units, Public/Gov't ≥ 10,00 | May 1, Annual | December 31, 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 | 23,749,348 | - | 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 million | 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 | 650 | 23 | No | Comm, MF, & Public/Gov't ≥ 20,000 | May 20, Annual | N/A | 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 |

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| Clayton MO | 2025 | 60 | - | No | Comm & MF ≥ 100,000, Public/Gov't ≥ 10,000 | April 1, 2027 and annual-ly thereafter | N/A | 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 | 800 | 412 | 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 | 375 | Yes | Comm, MF, & Public/Gov't ≥ 25,000 | June 1st | N/A | N | \$2,000 per year benchmarking data is not submitted, data errors aren't fixed, or reporting inaccurate information. | Yes |
| Des Moines IA | 2019 | 800 | - | Yes | Commercial & Public/Gov't ≥ 25,000 MF ≥ 25,000 & 5 units | July 1, Annual | December 31, Annual | Y | The City of Des Moines will not be assessing any penalties for properties who are not in compliance with this ordinance. | Yes |
| Detroit MI | 2023 | - | - | No | MF & Comm ≥ 25,000 Public/Gov't ≥ 10,000 | June 1, Annual | For buildings 100,000 square feet or larger Octo-ber 1st, 2025; For buildings 25,000 square feet or larg-er, October 1st, 2026 | Y | Fine of up to \$10,000, per violation, with each day of non-compliance counting as a separate violation. | - |
| Edina MN | 2019 | 300 | 28,525,257 | Yes | Comm, MF, & Public/Gov't ≥ 25,000 | June 1, Annual | August 30, 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 | 600 | 46 | Yes | Comm & MF ≥ 20,000 Public/Gov't ≥ 10,000 | June 30, Annual | N/A | Y | \$100 per month of non-compliance 20 days after written notice of violation. | Yes |
| Fort Collins CO | 2018 | 1,400 | 38 | Yes | Comm, MF, & Public/Gov't ≥ 5,000 | June1, 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 | 1,600 | 151 | Yes | Comm & MF ≥ 25,000 Public/Gov't ≥ 10,000 | June 30, Annual | October 30th | 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 | 292.5 million | Yes | Comm & MF ≥ 50,000 Public/Gov't ≥ 25,000 | June 1, Annual | Annually starting Decem-ber 1st, 2025 | Y | 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. | No |

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| Kansas City MO | 2015 | 1,400 | 400 million | No | Comm & MF ≥ 50,000 Public/Gov't ≥ 10,000 | May 1, Annual | September 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 | 14,000 | 900 million | No | Comm & MF ≥ 20,000 Public/ Gov't ≥ 7,500 | Jun 1, Annual | After Jun 1, Annual | Y | 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. | Yes |
| Madison WI | 2023 | 800 | 66 | - | Comm ≥ 25,000 | N/A | N/A | N | \$1,000 per 90 days of non-compliance. | - |
| Miami FL | 2021 | 1,600 | 350 | No | Comm, MF, & Public/Gov't ≥ 20,000 | Jun 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 |
| Milwaukee WI | 2024 | 800 | 107 million | Yes | Comm & MF ≥ 50,000, Public/ Gov't ≥ 10,000 | June 30, 2026 and annu- ally after | September 1, Annual | 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. | - |
| Minneapolis MN | 2013 | 900 | 169 | 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 | 1,900 | 237 | 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 Orleans LA | 2025 | 1,500 | - | No | Comm & MF ≥ 20,000, All Public/Gov't | May 31, Annual | December 1, Annual | N | 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. | - |

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| Newton MA | 2024 | 400 | 25 | Yes | Commercial & Public/Gov't ≥ 20,000 | September 15, Annual | November 30, Annual | N | Any violation to this ordinance shall be punishable by a fine of \$300 per day for each day the violation continues. | - |
| New York City NY | 2009 | 27,000 | 3.4 billion | Yes | Comm & MF ≥ 25,000 | June 30, Annual | September 1, Annual | Y | 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 violat | Yes |
| Oak Park IL | 2023 | 1,000 | - | - | Comm, MF, & Public/Gov't ≥ 10,000 | December 31 | Annual | Y | Fine between \$20 and \$750 per day. Each day of non-compliance counts as a separate offence. | Yes |
| Orlando FL | 2016 | 800 | 122 | Yes | Comm & MF ≥ 50,000 Public/Gov't ≥ 10,000 | May 1, Annual | September 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 | 400 | No | Comm & MF ≥ 50,000 Public/Gov't ≥ 10,000 | June 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. | - |
| Pittsburgh PA | 2016 | 900 | 164 million | Yes | Comm ≥ 50,000 All Public/Gov't | N/A | 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 | 600 | 42 | Yes | Comm & MF ≥ 20,000 Public/Gov't ≥ 5,000 | N/A | Sep 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 | 1,100 | 98 | No | Comm ≥ 20,000 | N/A | October 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 | 400 | - | - | 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 | - |

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| Reno NV | 2019 | 300 | 47 | Yes | Comm & MF ≥ 30,000 Public/Gov't ≥ 10,00 | April 1, Annual | Annual | 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 | 800 | 82 | No | Comm ≥ 25,000 Public/Gov't ≥ 3,000 | N/A | September 1, Annually | 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 | 2,100 | 337 | 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 | 2,600 | 308 | Yes | Comm & Public/Gov't ≥ 10,000 MF ≥ 50,000 | May 1, Annual | After April 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 |
| San Jose CA | 2018 | 1,800 | 190 | 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. | Yes |
| Seattle WA | 2010 | 4,100 | 397 | No | Comm & MF ≥ 20,000 | June 1, Annual | After November 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 | 1,000 | 120 | Yes | Comm, MF, & 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 |

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| Washington DC | 2008 | 5,800 | 493 | Yes | Comm & MF ≥ 25,000 Public/Gov’t ≥ 10,000 | May 1, Annual | May 1, Annual | Y | 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 fun up to \$100 per day of non-compliance. | Yes |
| West Hollywood CA | 2025 | 310 | - | No | Comm & Public/Gov’t ≥ 20,000, MF ≥ 20,000 and 5 residential units | May 15, Annual | N/A | N | Fines of up to \$1,000 for failing to report benchmarking data. If the City determines an owner has submitted an innacurate report or if there is a discrepancy of more than 50% between third-party verified data and an owner's self-certified data, the owner will be cited and fined \$1,000. | - |