

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 760

(Senator Jennings)

Finance

**Land Use - Solar Electric Generating Facility Siting - Prohibition on Contiguous
Parcels of Agricultural Land**

This bill prohibits a solar electric generating facility from being sited on contiguous parcels of productive agricultural land that have different owners. The prohibition applies in all counties and Baltimore City.

Fiscal Summary

State Effect: The bill does not materially affect State finances or operations. The bill is not anticipated to result in substantively less solar capacity in the State, especially in the short term with other suitable land available.

Local Effect: The bill does not materially affect local government finances or operations.

Small Business Effect: Meaningful.

Analysis

Current Law: There is no prohibition against siting a single solar facility on contiguous parcels of agricultural land that have different owners.

Background: According to the *2012 Census of Agriculture*, Maryland has approximately 2.0 million acres of farmland, which is about one-third of the State. As of January 2018, there was approximately 958 megawatts of solar capacity in the State, which is more than the combined solar capacity of Delaware, Pennsylvania, Virginia, and West Virginia. While solar technology is rapidly evolving, a 2013 National Renewable Energy

Laboratories report estimated the land required for solar facilities at about eight acres per megawatt. Continued advancements will increase the capacity per acre in the future.

Small Business Effect: Individual small businesses that own agricultural land are affected to the extent that they receive less or no revenue from solar projects due to the bill. Some companies involved in the solar energy installation supply chain are small businesses. These businesses may experience a decrease in the demand for their services if the bill restricts solar projects. However, the bill is not anticipated to substantively decrease the overall amount of solar capacity installed in the State, especially in the short term.

Additional Information

Prior Introductions: None.

Cross File: HB 1692 (Delegate West) - Rules and Executive Nominations.

Information Source(s): Maryland Department of Agriculture; Office of People's Counsel; Public Service Commission; Montgomery County; U.S. Department of Agriculture; National Renewable Energy Laboratories; PJM Environmental Information Services, Inc.; Department of Legislative Services

Fiscal Note History: First Reader - February 22, 2018
mm/lgc

Analysis by: Stephen M. Ross

Direct Inquiries to:
(410) 946-5510
(301) 970-5510