

HB1511/543427/1

BY: Chair, Education, Energy, and the Environment Committee

AMENDMENTS TO HOUSE BILL 1511, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 7, after “circumstances;” insert “providing that certain solar voltaic facilities may not be subject to certain afforestation requirements;”.

On page 1 of the Education, Energy, and the Environment Committee Amendments (HB1511/933321/1), in line 4 of Amendment No. 1, after “5-1601(gg).” insert “5-1606(a).”.

On page 2 of the bill, in lines 18 and 21, in each instance, strike “, 9,”

AMENDMENT NO. 2

On page 2 of the Education, Energy, and the Environment Committee Amendments, in line 6 of Amendment No. 2, after “forest.” insert:

“5-1606.

(a) (1) For the following land use categories, tracts having less than 20% of the net tract area in forest cover shall be afforested up to 20% of the net tract area:

- (i) Agriculture and resource areas; and
- (ii) Medium density residential areas.

(2) For the following land use categories, tracts having less than 15% of the net tract area in forest cover shall be afforested up to 15% of the net tract area:

- (i) Institutional development areas;
- (ii) High density residential areas;

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(iii) Mixed use and planned unit development areas; and

(iv) Commercial and industrial use areas.

(3) Afforestation requirements must conform to the conditions in §§ 5–1607 and 5–1610 of this subtitle, including payment into the Forest Conservation Fund, if afforestation on–site or off–site cannot be reasonably accomplished.

(4) (i) The afforestation requirements under this subsection shall be accomplished within 1 year or 2 growing seasons after the completion of the development project.

(ii) If afforestation cannot be reasonably accomplished on–site or off–site, the requirement to contribute money to a Forest Conservation Fund under § 5–1610 of this subtitle shall be met within 90 days after the completion of the development project.

(5) Linear projects that involve no change in land use may not be subject to afforestation requirements.

(6) SOLAR PHOTOVOLTAIC FACILITIES MAY NOT BE SUBJECT TO AFFORESTATION REQUIREMENTS UNDER THIS SUBTITLE.”.

On page 4 of the bill, after line 30, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:”.

On page 5 of the bill, strike in their entirety lines 20 through 28, inclusive.

On page 6 of the bill, strike in their entirety lines 19 through 27, inclusive; before line 30, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act may not apply to:

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(1) a solarvoltaic facility granted a certificate of public convenience and necessity by the Public Service Commission under § 7–207 of the Public Utilities Article before July 1, 2023;

(2) a forest conservation plan approved before July 1, 2024, that is associated with a subdivision plan, site plan, building permit, or grading or sediment control application; or

(3) a revision to a plan or permit described in item (2) of this section that does not materially alter the proposed or actual limits of disturbance.

SECTION 4. AND BE IT FURTHER ENACTED, That Sections 1 and 3 of this Act shall take effect July 1, 2024.”; and in line 30, after “That” insert “, except as provided in Section 4 of this Act.”.

On page 3 of the Education, Energy, and Environment Committee Amendments, in line 1 of Amendment No. 2, strike “2.” and substitute “5.”.