

SENATE BILL 760

L6, C5, M4

8lr1698
CF 8lr3787

By: **Senator Jennings**

Introduced and read first time: February 5, 2018

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Land Use – Solar Electric Generating Facility Siting – Prohibition on**
3 **Contiguous Parcels of Agricultural Land**

4 FOR the purpose of prohibiting the siting of a solar electric generating facility on contiguous
5 parcels of certain agricultural land; applying the prohibition to charter counties and
6 Baltimore City; and generally relating to the siting of solar facilities.

7 BY adding to

8 Article – Land Use

9 Section 1–401(b)(9); 1–601 to be under the new subtitle “Subtitle 6. Miscellaneous”;
10 and 10–103(b)(10)

11 Annotated Code of Maryland

12 (2012 Volume and 2017 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Land Use

15 Section 1–401(b)(9) through (23) and 10–103(b)(10) through (19)

16 Annotated Code of Maryland

17 (2012 Volume and 2017 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Land Use**

21 1–401.

22 (b) The following provisions of this division apply to a charter county:

23 **(9) § 1–601 (SOLAR ELECTRIC GENERATING FACILITY SITING);**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 [(9) (10) § 4–104(b) (Limitations – Bicycle parking);
- 2 [(10) (11) § 4–208 (Exceptions – Maryland Accessibility Code);
- 3 [(11) (12) § 4–210 (Permits and variances – Solar panels);
- 4 [(12) (13) § 5–102(d) (Subdivision regulations – Burial sites);
- 5 [(13) (14) § 5–104 (Major subdivision – Review);
- 6 [(14) (15) Title 7, Subtitle 1 (Development Mechanisms);
- 7 [(15) (16) Title 7, Subtitle 2 (Transfer of Development Rights);
- 8 [(16) (17) except in Montgomery County or Prince George’s County, Title
- 9 7, Subtitle 3 (Development Rights and Responsibilities Agreements);
- 10 [(17) (18) Title 7, Subtitle 4 (Inclusionary Zoning);
- 11 [(18) (19) § 8–401 (Conversion of overhead facilities);
- 12 [(19) (20) for Baltimore County only, Title 9, Subtitle 3 (Single–County
- 13 Provisions – Baltimore County);
- 14 [(20) (21) for Frederick County only, Title 9, Subtitle 10 (Single–County
- 15 Provisions – Frederick County);
- 16 [(21) (22) for Howard County only, Title 9, Subtitle 13 (Single–County
- 17 Provisions – Howard County);
- 18 [(22) (23) for Talbot County only, Title 9, Subtitle 18 (Single–County
- 19 Provisions – Talbot County); and
- 20 [(23) (24) Title 11, Subtitle 2 (Civil Penalty).

21 **SUBTITLE 6. MISCELLANEOUS.**

22 **1–601.**

23 **A SOLAR ELECTRIC GENERATING FACILITY MAY NOT BE SITED ON**

24 **CONTIGUOUS PARCELS OF PRODUCTIVE AGRICULTURAL LAND THAT HAVE**

25 **DIFFERENT OWNERS.**

26 10–103.

1 (b) The following provisions of this division apply to Baltimore City:

2 **(10) § 1-601 (SOLAR ELECTRIC GENERATING FACILITY SITING);**

3 **[(10)] (11) § 4-104(b) (Limitations – Bicycle parking);**

4 **[(11)] (12) § 4-205 (Administrative adjustments);**

5 **[(12)] (13) § 4-207 (Exceptions – Maryland Accessibility Code);**

6 **[(13)] (14) § 4-210 (Permits and variances – Solar panels);**

7 **[(14)] (15) § 5-201(d) (Subdivision regulations – Burial sites);**

8 **[(15)] (16) Title 7, Subtitle 1 (Development Mechanisms);**

9 **[(16)] (17) Title 7, Subtitle 2 (Transfer of Development Rights);**

10 **[(17)] (18) Title 7, Subtitle 3 (Development Rights and Responsibilities**
11 **Agreements);**

12 **[(18)] (19) Title 7, Subtitle 4 (Inclusionary Zoning); and**

13 **[(19)] (20) Title 11, Subtitle 2 (Civil Penalty).**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2018.