

Chapter 458

(House Bill 1111)

AN ACT concerning

**Public Utilities – Solar Energy Generating Systems – ~~Floating Systems and~~
Systems Located on or Over Water Retention Ponds, Quarries, or Brownfields**

FOR the purpose of providing that ~~certain floating~~ solar energy generating systems located on or over certain water retention ponds or quarries are eligible for the Small Solar Energy Generating System Incentive Program; ~~exempting certain floating solar energy generating systems and solar energy generating systems located on brownfields from a certain property tax~~ authorizing the Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation to grant, by law, a certain property tax credit against the county or municipal corporation property tax imposed on certain nonresidential solar energy generating systems; and generally relating to solar energy generating systems.

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 7–709.1(a)
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–709.1(d) and (e)
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)

BY ~~repealing and reenacting, with amendments,~~ adding to
Article – Tax – Property
Section ~~7–249~~ 9–275
Annotated Code of Maryland
(2019 Replacement Volume and 2024 Supplement)

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

Article – Public Utilities

7–709.1.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Brownfield” has the meaning stated in § 7–207 of this title.

(3) “Certified SREC” means a solar renewable energy credit generated by a certified system.

(4) “Certified system” means a solar energy generating system certified by the Commission under the Program to generate certified SRECs with the compliance value specified in subsection (c) of this section.

(5) “Program” means the Small Solar Energy Generating System Incentive Program.

(d) To be eligible for certification under the Program, a solar energy generating system shall:

(1) be located in the State;

(2) be eligible for inclusion in meeting the renewable energy portfolio standard;

(3) have a generating capacity of 5 megawatts or less, as measured by the alternating current rating of the system’s inverter;

(4) be placed in service between July 1, 2024, and January 1, 2028, inclusive; and

(5) be one of the following types of systems:

(i) a system with a generating capacity of 20 kilowatts or less, as measured by the alternating current rating of the system’s inverter;

(ii) a system with a generating capacity of 2 megawatts or less, as measured by the alternating current rating of the system’s inverter, if the system is used for aggregate net metering; or

(iii) a system with a generating capacity of between 20 kilowatts and 5 megawatts, as measured by the alternating current rating of the system’s inverter, if the system is **LOCATED ON OR OVER:**

1. ~~located on~~ a rooftop;

2. a parking canopy, ~~or;~~

3. a brownfield; **OR**

~~**4.** A FLOATING SYSTEM~~

4. A WATER RETENTION POND OR QUARRY CURRENTLY OR PREVIOUSLY DESIGNATED FOR INDUSTRIAL USE.

(e) Except as provided in subsection (f) of this section, the Commission, at the time of certifying a solar energy generating system as a Tier 1 renewable source, shall certify the system as eligible to generate certified SRECs in accordance with subsection (c) of this section if the applicant submits with its application for certification as a Tier 1 renewable source:

- (1) a form requesting to be certified to receive certified SRECs with the value specified in subsection (c) of this section;
- (2) a copy of the interconnection agreement between the applicant and the applicant's electric company indicating that the size of the system is eligible;
- (3) if seeking certification as a system located on or over ~~a roof, parking lot, [or] parking structure, OR NONNAVIGABLE BODY OF WATER~~ **AN AREA SPECIFIED UNDER SUBSECTION (D)(5)(III) OF THIS SECTION**, a copy of the final approval of the local building permit;
- (4) if seeking certification as a system located on a brownfield, documentation demonstrating that the system is located on a brownfield;
- (5) if seeking certification based on aggregated net metering, a copy of the aggregated net energy metering rider submitted with the interconnection agreement; and
- (6) any other information required by the Commission.

Article – Tax – Property

9-275.

(A) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY OR THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY GRANT, BY LAW, A TAX CREDIT AGAINST THE COUNTY OR MUNICIPAL CORPORATION PROPERTY TAX IMPOSED ON A NONRESIDENTIAL SOLAR ENERGY GENERATING SYSTEM CONSTRUCTED ON A BROWNFIELD OR A WATER RETENTION POND OR QUARRY CURRENTLY OR PREVIOUSLY DESIGNATED FOR INDUSTRIAL USE.

(B) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY OR THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY PROVIDE, BY LAW, FOR:

(1) THE AMOUNT AND DURATION OF THE TAX CREDIT UNDER THIS SECTION;

(2) ADDITIONAL ELIGIBILITY CRITERIA FOR THE TAX CREDIT UNDER THIS SECTION; AND

(3) ANY OTHER PROVISION NECESSARY TO CARRY OUT THIS SECTION.

~~7-249.~~

~~(a) This section applies only to nonresidential solar energy generating systems that are approved by the Public Service Commission under § 7-207 or § 7-207.1 of the Public Utilities Article on or after July 1, 2024.~~

~~(b) Nonresidential solar energy generating systems that are constructed on the rooftops of buildings [or on], parking facility canopies, OR BROWNFIELDS, OR THAT ARE FLOATING SYSTEMS, are not subject to valuation or to property tax.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

Approved by the Governor, May 13, 2025.