

**HB1036/823823/1**

BY: Delegate Ghrist

AMENDMENTS TO HOUSE BILL 1036, AS AMENDED  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 4, after “of” insert “prohibiting a person constructing a solar energy generating station from exercising a right of condemnation in connection with that construction.”.

On page 1 of the Economic Matters Committee Amendments (HB1036/403123/1), in line 17 of Amendment No. 1, after “(ii)” insert “and (2)”.

On page 2 of the Economic Matters Committee Amendments, in line 1 of Amendment No. 1, after “7-207(d)” insert “, 7-207.2(b), and 7-208(b)”; and in line 4, strike “7-207.4.” and substitute “7-207.1(h), 7-207.2(e), 7-207.4, 7-208(k).”.

AMENDMENT NO. 2

On page 2 of the bill, before line 8, insert:

“(2) **(I)** Unless a certificate of public convenience and necessity for the construction is first obtained from the Commission, and the Commission has found that the capacity is necessary to ensure a sufficient supply of electricity to customers in the State, a person may not exercise a right of condemnation in connection with the construction of a generating station.

**(II) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH, A PERSON MAY NOT EXERCISE A RIGHT OF CONDEMNATION IN CONNECTION WITH THE CONSTRUCTION OF A SOLAR ENERGY GENERATING STATION UNDER THIS SECTION.**”.

On page 21 of the Economic Matters Committee Amendments, after line 5 of Amendment No. 5, insert:

**“(H) A PERSON MAY NOT EXERCISE A RIGHT OF CONDEMNATION IN CONNECTION WITH THE CONSTRUCTION OF A SOLAR ENERGY GENERATING STATION UNDER THIS SECTION.**

7-207.2.

(b) This section applies to a person who constructs a generating station that:

(1) has the capacity to produce more than 2 megawatts of electricity, as measured by the alternating current rating of the system’s inverter, from a solar photovoltaic system; and

(2) is exempted under § 7-207(b)(1)(ii) of this subtitle from the requirement to obtain a certificate of public convenience and necessity.

**“(E) A PERSON MAY NOT EXERCISE A RIGHT OF CONDEMNATION IN CONNECTION WITH THE CONSTRUCTION OF A SOLAR PHOTOVOLTAIC SYSTEM UNDER THIS SECTION.”.**

On page 30 of the Economic Matters Committee Amendments, in line 1 of Amendment No. 5, after “(I)” insert “**A PERSON MAY NOT EXERCISE A RIGHT OF CONDEMNATION IN CONNECTION WITH THE CONSTRUCTION OF A DISTRIBUTED SOLAR ENERGY GENERATING SYSTEM UNDER THIS SECTION.**”

**(J)**”.

On page 4 of the bill, before line 23, insert:

“7-208.

(b) This section applies to any person:

(1) constructing a generating station and its associated overhead transmission lines designed to carry a voltage in excess of 69,000 volts;

(2) exercising the right of condemnation in connection with the construction; or

(3) constructing a qualified submerged renewable energy line.

**(K) A PERSON MAY NOT EXERCISE A RIGHT OF CONDEMNATION IN CONNECTION WITH THE CONSTRUCTION OF A SOLAR ENERGY GENERATING STATION UNDER THIS SECTION.”.**