

# SENATE BILL 853

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By: **Senators Lewis Young, Brooks, and Hettleman**

Introduced and read first time: January 28, 2025

Assigned to: Education, Energy, and the Environment

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Service Commission – Transmission Line Siting – Limitations**

3 FOR the purpose of prohibiting the Public Service Commission from authorizing, and a  
4 person from undertaking, the construction of an overhead transmission line under  
5 certain circumstances; and generally relating to overhead transmission lines.

6 BY repealing and reenacting, without amendments,  
7 Article – Public Utilities  
8 Section 7–207(b)(1)(i)  
9 Annotated Code of Maryland  
10 (2020 Replacement Volume and 2024 Supplement)

11 BY adding to  
12 Article – Public Utilities  
13 Section 7–207(h)  
14 Annotated Code of Maryland  
15 (2020 Replacement Volume and 2024 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article – Public Utilities  
18 Section 7–207(h)  
19 Annotated Code of Maryland  
20 (2020 Replacement Volume and 2024 Supplement)

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

23 **Article – Public Utilities**

24 7–207.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) (1) (i) Unless a certificate of public convenience and necessity for the  
2 construction is first obtained from the Commission, a person may not begin construction in  
3 the State of:

4 1. a generating station; or

5 2. a qualified generator lead line.

6 **(H) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**  
7 **COMMISSION MAY NOT AUTHORIZE, AND A PERSON MAY NOT UNDERTAKE, THE**  
8 **CONSTRUCTION OF AN OVERHEAD TRANSMISSION LINE THAT DOES NOT UTILIZE AN**  
9 **EXISTING TRANSMISSION LINE RIGHT-OF-WAY UNLESS THE APPLICANT**  
10 **ADEQUATELY DEMONSTRATES TO THE COMMISSION THAT EXISTING TRANSMISSION**  
11 **LINE RIGHTS-OF-WAY ARE NOT SUFFICIENT FOR THE PROPOSED OVERHEAD**  
12 **TRANSMISSION LINE.**

13 **(2) IF THE COMMISSION DETERMINES THAT AN EXISTING**  
14 **TRANSMISSION LINE RIGHT-OF-WAY IS NOT SUFFICIENT FOR A PROPOSED**  
15 **OVERHEAD TRANSMISSION LINE, THE COMMISSION MAY AUTHORIZE**  
16 **CONSTRUCTION OF A NEW OVERHEAD TRANSMISSION LINE WITHIN 0.25 MILES OF**  
17 **AN EXISTING OVERHEAD TRANSMISSION LINE.**

18 **[(h)] (I) (1)** A county or municipal corporation has the authority to approve  
19 or deny any local permit required under a certificate of public convenience and necessity  
20 issued under this section.

21 (2) A county or municipal corporation shall approve or deny any local  
22 permits required under a certificate of public convenience and necessity issued under this  
23 section:

24 (i) within a reasonable time; and

25 (ii) to the extent local laws are not preempted by State law, in  
26 accordance with local laws.

27 (3) A county or municipal corporation may not condition the approval of a  
28 local permit required under a certificate of public convenience and necessity issued under  
29 this section on receipt of any of the following approvals for any aspect of a generating  
30 station, an overhead transmission line, or a qualified lead line proposed to be constructed  
31 under the certificate:

32 (i) a conditional use approval;

33 (ii) a special exception approval; or

34 (iii) a floating zone approval.

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