

SENATE BILL 26

C5

6lr1637

(PRE-FILED)

By: **Senator McKay**

Requested: November 1, 2025

Introduced and read first time: January 14, 2026

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Public Utilities – Off-Grid Electricity Providers – Exemption**

3 FOR the purpose of exempting certain off-grid electricity providers from certain provisions
4 of law; providing that a certain off-grid electricity provider is subject to certain laws
5 concerning certificates of public convenience and necessity and certain other
6 required approvals for the construction of a generating facility; providing that a
7 person may not be considered to be an off-grid electricity provider under certain
8 circumstances; and generally relating to off-grid electricity providers.

9 BY adding to

10 Article – Public Utilities

11 Section 7-219.1

12 Annotated Code of Maryland

13 (2025 Replacement Volume and 2025 Supplement)

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

16 **Article – Public Utilities**

17 **7-219.1.**

18 **(A) IN THIS SECTION, “OFF-GRID ELECTRICITY PROVIDER” MEANS A**
19 **PERSON THAT OWNS OR OPERATES AN ELECTRIC GENERATING FACILITY THAT:**

20 **(1) DOES NOT INTERCONNECT WITH THE ELECTRIC SYSTEM IN THE**
21 **STATE;**

22 **(2) DOES NOT CROSS STATE LINES; AND**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) IS NOT LOCATED WITHIN AND DOES NOT CROSS ANY FEDERAL,**
2 **STATE, OR LOCAL ROADWAY OR RIGHT-OF-WAY.**

3 **(B) THIS SECTION APPLIES ONLY TO OFF-GRID ELECTRICITY PROVIDERS**
4 **THAT BEGIN TO GENERATE, TRANSMIT, DISTRIBUTE, OR SELL ELECTRICITY ON OR**
5 **AFTER OCTOBER 1, 2026.**

6 **(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION**
7 **AND NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN OFF-GRID**
8 **ELECTRICITY PROVIDER IS EXEMPT FROM ANY PROVISION OF THIS ARTICLE AND**
9 **ANY REGULATION, ORDER, OR PERMIT ADOPTED OR ISSUED UNDER THIS ARTICLE.**

10 **(2) AN OFF-GRID ELECTRICITY PROVIDER SHALL COMPLY WITH THE**
11 **REQUIREMENTS IN §§ 7-207 AND 7-207.1 OF THIS SUBTITLE WHEN CONSTRUCTING**
12 **AN ELECTRIC GENERATING FACILITY.**

13 **(D) ANY PERSON THAT QUALIFIED AS AN OFF-GRID ELECTRICITY**
14 **PROVIDER WHOSE ELECTRIC GENERATING FACILITY SUBSEQUENTLY**
15 **INTERCONNECTS WITH THE ELECTRIC SYSTEM IN THE STATE, CROSSES STATE**
16 **LINES, OR BECOMES LOCATED WITHIN OR CROSSES ANY FEDERAL, STATE, OR**
17 **MUNICIPAL ROADWAY OR RIGHT-OF-WAY MAY NO LONGER BE CONSIDERED AN**
18 **OFF-GRID ELECTRICITY PROVIDER FOR THE PURPOSES OF THIS SECTION.**

19 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
20 **October 1, 2026.**