

# SENATE BILL 265

C5, M5

6lr1879

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By: Senator Brooks

Introduced and read first time: January 19, 2026

Assigned to: Education, Energy, and the Environment

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## A BILL ENTITLED

1 AN ACT concerning

2 **Community Solar Energy Generating Systems – Prohibited Locations – Adjacent**  
3 **Parcels**

4 FOR the purpose of repealing certain prohibitions on the location of a community solar  
5 energy generating system based on the combined installed capacity of all community  
6 solar energy generating systems on adjacent parcels of land; and generally relating  
7 to community solar energy generating systems.

8 BY repealing and reenacting, without amendments,

9 Article – Public Utilities

10 Section 7–306.2(a)(1), (4), and (7) and (d)(1)

11 Annotated Code of Maryland

12 (2025 Replacement Volume and 2025 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Public Utilities

15 Section 7–306.2(d)(13)

16 Annotated Code of Maryland

17 (2025 Replacement Volume and 2025 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Public Utilities**

21 7–306.2.

22 (a) (1) In this section the following words have the meanings indicated.

23 (4) “Community solar energy generating system” means a solar energy  
24 system that:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (i) is connected to the electric distribution system serving the State;
- 2 (ii) is located in the same electric service territory as its subscribers;
- 3 (iii) is attached to the electric meter of a subscriber or is a separate
- 4 facility with its own electric meter;
- 5 (iv) credits its generated electricity, or the value of its generated
- 6 electricity, to the bills of the subscribers to that system through virtual net energy
- 7 metering;
- 8 (v) has at least two subscribers but no limit to the maximum number
- 9 of subscribers;
- 10 (vi) does not have subscriptions larger than 200 kilowatts
- 11 constituting more than 60% of its kilowatt-hour output;
- 12 (vii) has a generating capacity that does not exceed 5 megawatts as
- 13 measured by the alternating current rating of the system's inverter;
- 14 (viii) may be owned by any person; and
- 15 (ix) with respect to community solar energy generating systems
- 16 constructed under the Program, serves at least 40% of its kilowatt-hour output to LMI
- 17 subscribers unless the solar energy system is wholly owned by the subscribers to the solar
- 18 energy system.

19 (7) "LMI subscriber" means a subscriber that:

- 20 (i) is low-income;
- 21 (ii) is moderate-income; or
- 22 (iii) resides in a census tract that is:
  - 23 1. an overburdened community; and
  - 24 2. an underserved community.

25 (d) (1) (i) The Commission shall establish and maintain a Community

26 Solar Energy Generating Systems Program.

27 (ii) The structure of the Program is as provided in this subsection.

28 (13) (i) Except as provided in subparagraph (ii) of this paragraph, a

29 community solar energy generating system may not be located on the same [or an adjacent]

1 parcel of land as an existing or proposed community solar energy generating system if the  
2 total installed capacity of all community solar energy generating systems on the [same or  
3 adjacent] parcel would exceed 5 megawatts.

4 (ii) The prohibition under subparagraph (i) of this paragraph does  
5 not apply to projects constructed:

- 6 1. on the rooftops of buildings;
- 7 2. in areas that are zoned for industrial use;
- 8 3. on brownfields locations and clean fill sites;
- 9 4. over parking lots or roadways;
- 10 5. on multilevel parking structures;
- 11 6. on or over transportation or public rights-of-way;
- 12 7. at airports;
- 13 8. on land that:
  - 14 A. was previously zoned for industrial use or is ecologically  
15 compromised; and
  - 16 B. is not targeted for mitigation or restoration; or
  - 17 9. in any location if the combined capacity of all community  
18 solar energy generating systems on the same [or adjacent] parcel does not exceed 10  
19 megawatts and:
    - 20 A. at least 75% of the aggregate capacity of the co-located  
21 community solar energy generating systems serves LMI subscribers;
    - 22 B. for a site without a community solar energy generating  
23 system installed before the start of the Program under paragraph (20) of this subsection,  
24 all of the community solar energy generating systems installed after the start of the  
25 Program are used for agrivoltaics; or
    - 26 C. for a site with a community solar energy generating  
27 system installed before the start of the Program under paragraph (20) of this subsection,  
28 each new community solar energy generating system installed after the start of the  
29 Program is used for agrivoltaics.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
31 October 1, 2026.