

**Department of Legislative Services**  
Maryland General Assembly  
2026 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 460 (Delegate Beauchamp, *et al.*)  
Environment and Transportation

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**Solar Energy - Construction of Generating Stations in Priority Preservation  
Areas and Study**

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This bill specifies that a maximum of 2% of the total acreage of a priority preservation area (PPA) established before January 1, 2025, may be approved for the construction of solar energy generating stations, rather than the maximum of 5% allowed under existing law. Once a PPA reaches the 2% limit, local governments regain authority to take specified zoning actions on the remaining 98% of the PPA (compared with 95% under existing law). Additionally, the bill requires the Maryland Department of the Environment (MDE) to study the environmental impact of the disposal of solar photovoltaic systems at the end of their life cycle and report its findings to the General Assembly by September 30, 2027.

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**Fiscal Summary**

**State Effect:** MDE can likely complete the required study and report with existing resources, as discussed below. State finances and operations are not otherwise materially affected.

**Local Effect:** The bill is not anticipated to materially affect local government finances or operations, as discussed below.

**Small Business Effect:** Minimal.

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## Analysis

### **Current Law:**

#### *Renewable Energy Certainty Act*

The Renewable Energy Certainty Act of 2025 (Chapters 623 and 624), among other provisions, established siting requirements for the construction of solar energy generating stations with a capacity of at least 1 megawatt that meet specified criteria and imposed limitations on local jurisdictions with respect to their construction and development. Under the Act, a local jurisdiction may not adopt zoning laws (or other laws or regulations) that (1) prohibit the construction or operation of solar energy generating stations or (2) deny site development plans for such projects if all applicable siting requirements are met. In addition, a local jurisdiction must expedite the review and approval of site development plans for solar energy generating stations if the plans satisfy all applicable requirements under § 7-218 of the Public Utilities Article.

The Act further specifies that, within a PPA established before January 1, 2025, the total combined number of solar energy generating stations that may be approved for construction must be limited in area to 5% of the total acreage of the PPA. Once this 5% threshold has been reached for a PPA, the prohibitions on local zoning actions specified above do not apply to the remaining 95% of the PPA.

#### *Priority Preservation Areas*

The Agricultural Stewardship Act of 2006 authorized counties to include a PPA element in their local comprehensive plans and, since fiscal 2009, has required inclusion of a PPA element in a county's comprehensive plan as a condition of certification of an effective county agricultural land preservation program under § 5-408 of the State Finance and Procurement Article. PPAs must contain productive agricultural or forest soils or be capable of supporting profitable agricultural and forestry enterprises where productive soils are lacking. PPAs must be governed by local policies, ordinances, regulations, and procedures that stabilize the agricultural and forest land base so that development does not convert or compromise agricultural or forest resources and support the ability of working farms in PPAs to engage in normal agricultural activities. In addition, PPAs must be large enough to support normal agricultural and forestry activities in conjunction with the amount of development permitted by a county therein.

The Maryland Department of Planning (MDP) and the Maryland Agricultural Land Preservation Foundation (MALPF) must jointly certify a PPA. Additionally, MDP and MALPF must review any update to a county's comprehensive plan or any other change that may affect a PPA.

### *Solar Photovoltaic Systems Recovery, Reuse, and Recycling Working Group*

The Climate Solutions Now Act of 2022 (CSNA) required the Maryland Commission on Climate Change (MCCC) to establish the Solar Photovoltaic Systems Recovery, Reuse, and Recycling Working Group. The Act specified that the working group, staffed by MDE, must review, identify, assess, and analyze issues related to solar photovoltaic systems and report its findings and recommendations to MCCC and the General Assembly by December 31, 2023. Among other requirements, CSNA directed the working group to review solar photovoltaic systems currently used in the State; identify ongoing and recent studies related to recycling, life-cycle analysis, and end-of-life programs; review industry-approved best practices for managing end-of-life solar photovoltaic systems and their components; and perform an impact assessment examining the environmental impacts of various end-of-life scenarios.

The working group's report can be found at the following link: [A Circular Economy Approach to Solar Photovoltaics in Maryland](#).

**State Expenditures:** MDE anticipates completing the study and report required by the bill with existing resources. According to MDE, relevant information and data for the study can be drawn from the report linked above. To the extent that additional technical analysis or data collection is required beyond staff expertise, MDE may need to hire a consultant or contractual support; however, MDE advises that any associated costs could be absorbed within its existing budget.

**Local Fiscal Effect:** MDP estimates that there are approximately two million acres of land located within PPAs statewide. **Exhibit 1** shows the estimated total PPA acreage statewide and by county, along with the estimated acreage available within PPAs for solar development under current law (up to 5%) and under the bill (up to 2%).

As shown in the exhibit, there are an estimated 100,000 acres within PPAs statewide on which solar facilities can be approved pursuant to current law; the bill reduces this total to approximately 40,000 acres. Notwithstanding this significant reduction in available acreage, the bill is not expected to materially affect local government finances or operations (at least over the five-year period covered by this fiscal and policy note). The Department of Legislative Services advises that, for the foreseeable future, it is unlikely that the bill's 2% acreage limitation would be triggered in any counties that have PPAs.

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**Exhibit 1**  
**Estimated Acreage in Priority Preservation Areas Statewide and by County**  
**(as of November 2025)**

<b>County</b>	<b>Total PPA Acreage</b>	<b>5% Eligible for Solar Development</b>	<b>2% Eligible for Solar Development</b>
Allegany	0	0	0
Anne Arundel	40,525	2,026	811
Baltimore City	0	0	0
Baltimore	141,581	7,079	2,832
Calvert	56,068	2,803	1,121
Caroline	126,468	6,323	2,529
Carroll	92,909	4,645	1,858
Cecil	125,776	6,289	2,516
Charles	132,733	6,637	2,655
Dorchester	0	0	0
Frederick	96,208	4,810	1,924
Garrett	0	0	0
Harford	110,110	5,506	2,202
Howard	0	0	0
Kent	151,350	7,568	3,027
Montgomery	93,000	4,650	1,860
Prince George's	85,765	4,288	1,715
Queen Anne's	119,259	5,963	2,385
Somerset	0	0	0
St. Mary's	91,981	4,599	1,840
Talbot	89,081	4,454	1,782
Washington	75,429	3,771	1,509
Wicomico	184,981	9,249	3,700
Worcester	195,298	9,765	3,906
<b>Statewide</b>	<b>2,008,522</b>	<b>100,425</b>	<b>40,172</b>

PPA: priority preservation area

Sources: Maryland Department of Planning; Department of Legislative Services

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## **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Anne Arundel, Baltimore, Charles, Dorchester, and Howard counties; cities of Greenbelt and Laurel; Town of Sykesville; Maryland Department of the Environment; Department of Natural Resources; Office of People's Counsel; Public Service Commission; Maryland Department of Agriculture; Maryland Department of Planning; Department of Legislative Services

**Fiscal Note History:** First Reader - February 8, 2026  
sj/lgc

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