

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 683 (Senators Gallion and Jennings)
Education, Energy, and the Environment

Public Utilities - Solar Energy Generating Stations - Siting (Solar Siting and Preservation Credit Act of 2026)

This bill authorizes a county to credit solar energy generating stations that are approved after January 1, 2027, and are located on brownfields, school rooftops or fields, or other underutilized land, toward the 5% limitation on the total acreage within a priority preservation area (PPA) that may be approved for solar energy generating stations.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State finances or operations.

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

Small Business Effect: Minimal or none.

Analysis

Current Law: “Brownfields site” means (1) a former industrial or commercial site identified by federal or State laws or regulation as contaminated or polluted; (2) a closed landfill regulation by the Maryland Department of the Environment; or (3) mined land.

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.

Local Fiscal Effect: MDP estimates that approximately two million acres of land statewide are located within PPAs. **Exhibit 1** shows total PPA acreage statewide and by county, along with the estimated acreage within PPAs that may be approved for solar development under current law.

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

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

PPA: priority preservation area

Sources: Maryland Department of Planning; Department of Legislative Services

As shown in the exhibit, an estimated 100,000 acres within PPAs statewide – equivalent to 5% of total PPA acreage established before January 1, 2025 – may be approved for solar energy generating stations. To the extent a county credits any future solar energy generating stations built on brownfields, school rooftops or fields, or other underutilized

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land toward the 5% cap on total PPA acreage eligible for solar development, the amount of the county's remaining PPA acreage available for additional solar approvals decreases.

However, the Department of Legislative Services (DLS) notes that, of the 18 counties in Maryland that have designated PPAs, 15 have at least 4,000 acres within their PPAs eligible for solar development. Anne Arundel County, which has the lowest total among the 18 counties, still has more than 2,000 acres of PPA land eligible for solar development.

Accordingly, DLS advises that the bill is not expected to materially affect local government finances or operations (at least during the five-year period covered by this fiscal and policy note). Even assuming continued acceleration of solar development in the State and recognizing the significant acreage requirements associated with utility-scale projects, it is unlikely that any county would exhaust the PPA acreage available for solar development in the foreseeable future as a result of the bill.

Additional Information

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

Designated Cross File: None.

Information Source(s): Baltimore, Carroll, Harford, Queen Anne's, and St. Mary's counties; Maryland Department of Planning; Maryland Energy Administration; Office of People's Counsel; Public Service Commission; Baltimore City Public Schools; Prince George's County Public Schools; Department of Legislative Services

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