

Department of Legislative Services  
Maryland General Assembly  
2026 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 734 (Delegate Roberson)  
Ways and Means

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Property Tax - Agricultural Use Assessment - Community Solar Energy  
Generating Systems

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This bill extends the deadline by which a community solar energy generating system must be approved by the Public Service Commission (PSC) in order to qualify for an agricultural use assessment from December 31, 2025, to December 31, 2030. **The bill takes effect June 1, 2026, and applies to taxable years beginning after June 30, 2026.**

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Fiscal Summary

**State Effect:** Potential decrease in Annuity Bond Fund (ABF) revenues beginning in FY 2027 depending on the number of additional community solar energy generating systems that are placed in service between December 31, 2025, and December 31, 2030. Expenditures are not affected.

**Local Effect:** Potential decrease in local property tax revenues beginning in FY 2027 depending on the number of additional community solar energy generating systems that are placed in service between December 31, 2025, and December 31, 2030. Expenditures are not affected. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** Potential meaningful.

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Analysis

**Current Law:** Chapters 658 and 659 of 2022 provided several tax benefits for a community solar energy generating system that is placed in service after June 30, 2022, and approved on or before December 31, 2025, by PSC. One of the tax benefits required the State Department of Assessments and Taxation (SDAT) to assess and qualify land that

is used by a community solar energy generating system for agrivoltaics as land that is actively used for farm or agricultural purposes.

### *Agricultural Land Use Assessment*

Land that is actively used for farm or agricultural use must be valued on the basis of that use and may not be valued as if subdivided. Land that is valued as agricultural use must be assessed on the basis of its use value. SDAT must establish in regulations criteria to determine if land that appears to be actively used for farm or agricultural purposes (1) is actually used for farm or agricultural purposes and (2) qualifies for an agricultural use assessment. The criteria must include (1) the zoning of the land; (2) the present and past use of the land including land under the Soil Bank Program of the United States; (3) the productivity of the land, including timberlands and reforested lands; and (4) the gross income that is derived from the agricultural activity.

**State Fiscal Effect:** ABF revenues may decrease beginning in fiscal 2027 depending on the number of additional community solar energy generating systems that are placed in service between December 31, 2025, and December 31, 2030.

**Local Fiscal Effect:** Local property tax revenues may decrease beginning in fiscal 2027 depending on the number of additional community solar energy generating systems that are placed in service between December 31, 2025, and December 31, 2030.

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### **Additional Information**

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

**Designated Cross File:** SB 344 (Senator King) - Budget and Taxation.

**Information Source(s):** State Department of Assessments and Taxation; Public Service Commission; Department of Legislative Services

**Fiscal Note History:** First Reader - February 16, 2026  
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