

SB0344 Testimony - Extend Time to Qualify for Comm

Uploaded by: Debbie Cohn

Position: FAV

Committee: Budget and Taxation
Testimony on: SB0344– Property Tax – Agricultural Use Assessment – Community Solar Energy Generating Systems
Submitting: Deborah A. Cohn
Position: Favorable
Hearing Date: February 18, 2026

Dear Chair Guzzone and Committee Members:

Thank you for considering my testimony in support of SB0344. As a longstanding Montgomery County resident, I am writing due to my concern about rising utility rates and the longstanding failure of Maryland to reach its solar energy generation goals under the Renewable Portfolio Standard.

SB0344 addresses the circumstances under which land on which a community solar generating system is located qualifies for the favorable agricultural use tax rate as a result of dual use of the land as agrivoltaics. SB0344 would extend from 2025 to 2030 the time within which a community solar generating system must be approved by the Public Service Commission and the Department of Assessments and Taxation must determine that the land qualifies for the agricultural use tax rate.

Maryland residents and businesses are facing steep increases in their electricity bills, and the state is significantly behind in meeting its solar energy generation requirements under the Renewable Energy Portfolio Standards. We need to encourage all types of solar energy including community solar. Under Maryland law community solar projects must offer participants a discount from their utility's standard offer service rate. Community solar allows those residents who do not own the building in which they live and residents on whose property a photovoltaic system would not be economically viable to still lower their utility bills and participate in increasing the generation of new solar energy generating systems within Maryland.

For these reasons I urge this committee to issue a FAVORABLE report on SB0344.

Deborah A. Cohn

GIS SB0344 Written Testimony.pdf

Uploaded by: Jennifer Morash

Position: FAV



Good Idea Solar
142 1/2 Monticello Ave
Annapolis, MD 21401

TO: The Honorable Guy Guzzone, Chair, Budget and Taxation Committee
FROM: Justin Aydelotte, Chief Executive Officer
DATE: February 13, 2026

RE: Support for SB0344 - Property Tax – Agricultural Use Assessment – Community Solar Energy Generating System

Position: Favorable

Chair Guzzone, Vice Chair Rosapepe, and members of the Budget and Taxation Committee,

Good Idea Solar, a Maryland-based solar developer and Service-Disabled Veteran Owned Small Business, is committed to expanding responsible community solar and agrivoltaics across the state. For this reason, we testify in strong support of SB0344.

We believe this bill provides a necessary extension of Maryland’s agricultural use tax assessment eligibility for community solar projects that integrate agrivoltaics. Specifically, SB0344 extends the Public Service Commission approval deadline under §8–209(e) from December 31, 2025, to December 31, 2030. This modest change will provide essential certainty for projects that keep farmland in production while contributing to Maryland’s clean energy future.

Furthermore, SB0344 complements Maryland’s broader efforts to harmonize solar policy, including the Renewable Energy Certainty Act, by aligning agricultural assessment timelines with other statutory incentives (i.e. MD Tax - Property Code § 7-237) and avoiding unnecessary policy roadblocks.

Agrivoltaics offers a true dual-use solution that advances renewable energy generation while ensuring agricultural land remains actively farmed. These projects help Maryland meet critical statewide goals related to greenhouse gas reduction, renewable energy deployment, and long-term farmland protection.

Importantly, local research conducted by the University of Maryland shows that agrivoltaics can serve as a meaningful farmland protection tool for the duration of a solar project’s life cycle (Morash and Pavao-Zuckerman, 2026). This is because associated long-term solar

contracts, generally ranging from 25-30 years, keep land in agriculture while also supporting farm viability through significant additional income for landowners and tenant farmers from lease agreements and farm management contracts, respectively.

Additionally, Maryland's agricultural community has long played an important role in climate mitigation, and the State recognizes that agrivoltaics is part of that continued effort. The Maryland Department of Agriculture's 2024 Annual Status Report on Climate Change explicitly identified "the development of dual-use energy generation (agrivoltaics) recommendations on agricultural land" as part of its future carbon sequestration and climate mitigation priorities. This reflects Maryland's understanding that agrivoltaics is an important tool for reaching statewide climate and sustainability goals.

To accomplish these goals, community solar projects employing agrivoltaics require additional development time compared to conventional solar projects because successful implementation depends on careful collaboration with farmers and site-specific agricultural planning. Extending the timeline to 2030 ensures that these partnerships are not rushed and that agrivoltaics can be deployed responsibly and effectively throughout Maryland.

For these reasons, we respectfully urge the committee to support SB0344.

If you have any questions, please feel free to contact me at justin@goodideasolar.com.

Thank you for your time and consideration.

Sincerely,
Justin Aydelotte
Chief Executive Officer
Good Idea Solar

Reference:

Morash, Jennifer D. & Pavao-Zuckerman, Mitchell, 2026. "Regional dynamics of agrivoltaics adoption: Stakeholder perceptions and barriers in Maryland, USA," Energy Policy, Elsevier, vol. 210(C)

Lightstar Testimony SB344 2.18.26.pdf

Uploaded by: Kelly Buchanan

Position: FAV

February 16, 2026

Senator Guy Guzzone, Chair
Senate Budget and Taxation Committee
3 West Miller Senate Office Building
Annapolis, Maryland 21401

Bill: Senate Bill 344 - Property Tax - Agricultural Use Assessment - Community Solar Energy Generating Systems

Position: Support

Dear Chair Guzzone and members of the Committee:

Lightstar develops, builds, and owns community solar projects with more than 2000 megawatts (MW) of projects completed or in development across the country. Of that 2000 MW portfolio, nearly 500 MWs are agrivoltaics. In Maryland, we have 121 MWs of agrivoltaics under development across approximately 14 counties. Lightstar diligently works with Maryland's local, state, and federal policymakers to communicate the benefits of preferred siting methods like agrivoltaics, which is the integration of agricultural and/or horticultural production and solar on a single parcel of land.

As one of the first developers to bring crop agrivoltaics (hay, soy, wheat, etc.) to Maryland, Lightstar is committed to responsible design standards that ensure our projects provide robust agricultural and clean energy benefits. Responsible agrivoltaics can help ensure farmland remains in production for the lifetime of the community solar project and provide additional food security and agricultural economic growth – despite incredible headwinds. While doing so, low-and-moderate income households will receive additional energy bill savings as part of the Community Solar Program subscriber requirements. Community solar provides both homeowners and renters, and even businesses, with equal access to the cost-saving benefits of solar energy. While Maryland addresses an energy affordability crisis and increased land development pressures, agrivoltaics provides Marylanders with different choices when it comes to solar. Agrivoltaics helps protect food security, farmland retention, and the agricultural heritage of many communities.

Agrivoltaic projects allow farming operations to continue on important soils, while also integrating the benefits of community solar. Because these projects must continue to receive agricultural tax assessments, **they are guaranteed to continue farming for at least the lifetime of the solar array (25-30 years) and are meeting the requirements of any other farm in the State of Maryland.** Agrivoltaics can help farming families keep their agricultural operations financially viable with creative solutions. Many of our projects ensure both landowners and tenant farmers can continue to use land for agriculture while saving for retirement, enticing the next generation to stay on the farm, finding additional financial stability, or meeting other goals like trying new and innovative farming practices.

SB344 seeks to align different sections of statute to ensure a smooth path to agrivoltaics implementation. Currently, agrivoltaics projects in the permanent community solar program in Maryland are subject to the statutory definition of agrivoltaics in Public Utilities Statute 7-306.2, which:

- Requires the simultaneous use of areas of land for both solar and agriculture,
- Requires a project to maintain agricultural use assessment by the standards of COMAR 18.02.03 or the Maryland Assessment Procedures Manual, and;
- Does NOT include pollinator habitat or apiaries as qualifying agricultural uses.

Agrivoltaics projects are also governed in the following statutes:

- Tax-Property Statute 8-209 allows land used for agrivoltaics to be assessed and qualified as land that is actively used for farm and agricultural purposes (agricultural use assessment), if approved on or before December 31, 2025.
- Agrivoltaic community solar projects may qualify for a county/municipal personal property tax exemption, if approved on or before December 31, 2030 and do not exceed 5MWs, under [Tax-Property Statute 7-237](#). This tax benefit requires projects to serve at least 50% low-and-moderate income (LMI) subscribers and to provide them with at least a 20% energy bill discount. §7-237.
- Agrivoltaic community solar projects may co-locate up to 10MWs, under [Public Utilities Statute 7.306.2](#).

SB344 seeks to amend §8-209 to align the qualification period for agricultural use assessment with the personal property tax exemption found in §7-237 by extending the sunset for agricultural use assessment qualification to December 31, 2030. This change is minor in nature but will allow multi-beneficial agrivoltaic projects to move forward with certainty. Aligning both elements of property tax statute is prudent to ensure a consistent framework for the compliance and incentive mechanisms associated with agrivoltaics.

Most importantly, because the community solar program requires that agrivoltaic projects maintain agricultural use assessment, the ability for these projects to qualify as such should be extended to 2030 to allow the program sufficient runway to implement agrivoltaics. It's critical to note that the development timeline for agrivoltaic projects is much longer when compared to traditional community solar. Agrivoltaic projects require greater coordination and planning to ensure both the solar and farming aspects of the projects work in concert.

In summary, SB344 harmonizes qualification deadlines found in both §8-209 and §7-237 and provides reasonable program runway to implement agrivoltaics. Harmonizing these dates and extending the qualification period for agricultural use assessment creates a sensible runway to finance and build complex agrivoltaic projects, which supports dual-use agriculture. Harmonizing both statutes at 2030 reduces risk and simplifies guidance for the Department of

Assessments and Taxation, local assessors, and the Public Service Commission, reducing compliance errors and disputes over which projects qualify.

Thank you for the opportunity to testify on SB344. We respectfully ask the Committee for a favorable report on Senate Bill 344. Please do not hesitate to reach out to me with any questions.

Sincerely,



Kelly Buchanan
Senior Policy & Strategy Manager, East
Kelly.buchanan@lightstar.com
303-956-1246

CE Ball 2026 - SB344 Agricultural Use Assessment

Uploaded by: Luke Verdi

Position: FAV



HOWARD COUNTY OFFICE OF COUNTY EXECUTIVE

3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2013 Voice/Relay

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February 6, 2026

The Honorable Guy Guzzone, Chair
Budget & Taxation Committee
3 West Miller Senate Office Building
Annapolis, Maryland 21401

RE: TESTIMONY IN SUPPORT of Senate Bill 344: Property Tax – Agricultural Use Assessment – Community Solar Energy Generating Systems

Dear Chair Guzzone, Vice Chair Rosapepe, and Members of the Committee:

At a time when Marylanders face significant electricity price increases, wider deployment of community solar energy generating systems can provide crucial relief for low- and moderate-income households. **Howard County supports SB344 because it will help enable more households to access cleaner and cheaper electricity** through shared solar arrays without incurring upfront costs or installation requirements. Community solar programs ensure that the financial benefits of solar energy reach residents who cannot install their own solar system. These are often low- and moderate-income residents. Such programs let households subscribe to a share of a larger solar system located elsewhere and buy solar at a discount.

Howard County is a leader on climate action, clean energy deployment, and conservation of natural habitat and agricultural lands. From the start of my Administration in December 2018, my team and I made a deliberate effort to pursue solar energy on multiple fronts, because solar power gives us something rare: a solution that is clean, cost-effective, and full of possibility. Early in 2019, I signed Howard County on to the “We Are Still In Declaration,” aligning our county’s efforts to the goals of the 2015 Paris Agreement on climate change.

Also in 2019, Howard County became the first county in the nation to accept the U.S. Climate Alliance’s Natural & Working Lands Challenge. In so doing, we committed to implementing nature-based climate solutions to maximize opportunities to reach net zero emissions through carbon storage in healthy soils, forests, meadows, and farmland. This is good for our agricultural community and our quality of life.

Our landmark 2020 solar Power Purchase Agreement (PPA) is the largest in the state and it includes rooftop, ground mount, and parking canopies on public and private lands (including agrivoltaics). With our work under this PPA nearly 100% complete, it already generates some 32 million kWh of electricity a year. That is enough to power 3,000 homes for a year or to meet more than half of the electricity needed by all Howard County government buildings. This PPA will save the County well over \$30 million in energy costs over its 25-year term.



HOWARD COUNTY OFFICE OF COUNTY EXECUTIVE

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Our commitment to climate action and sustainability was further recognized in 2022 when the U.S. Green Building Council (USGBC) gave its highest LEED “Platinum” ranking to Howard County under USGBC’s Cities and Communities program. Howard County was the nation’s first county to earn this prestigious LEED Platinum designation.

In launching our June 2023 “*Climate Forward: Climate Action and Resiliency Plan*,” I committed Howard County to the ambitious goals of reducing greenhouse gases by 60% by 2030 and achieving net-zero emissions by 2045. Clean energy deployment is integral to our Climate Forward plan and we have seen solar generation grow by nearly 40% in Howard County over the past two years. While we now have over 150 megawatts (MW) of solar generation in the county, our aim is to reach solar capacity of 437 MW by 2030 and 1,133 MW by 2045.

Toward that end, we have expanded our “whole-of-government” approach to undertaking a “whole-of-community” approach to further expand solar energy in Howard County. We are now negotiating a second solar PPA, which we are doing jointly with Howard County Community College and the Howard County Public School System. With support from the Maryland Energy Administration (MEA), we are working to develop several County-led community solar projects a former landfill, a shared septic reserve site, and other County properties.

We are working with non-profit partners to spur residential solar adoption and we have reduced procedural barriers to help families and businesses adopt solar power more quickly through our new streamlined “Solar Express” permit process. As a result of these and other efforts, the SolSmart organization awarded its highest “Platinum” designation to Howard County last December, making us just the eighth local government in the nation to earn this designation.

Recent federal roadblocks to clean energy make it imperative for states and localities to boost clean energy deployment. SB-344 would promote community solar development by extending to 2030 the period during which land hosting community solar systems simultaneously used for agriculture (agrivoltaics) may retain its agricultural zoning status. Identifying land for solar generation can be a major challenge, so this extension would incentivize the development of agrivoltaics at no cost to the State or to Maryland residents. Also, community solar agrivoltaics may help struggling farmers retain their farm by providing additional revenue.

Now is the time to help ensure that the clean energy transition does not leave out vulnerable communities that can most benefit from cheaper electricity. Community solar programs help democratize solar access and create cleaner and cheaper electricity for Marylanders. Howard County requests the Committee’s **favorable report for SB344**.

All the Best,

Calvin Ball
Howard County Executive

Testimony in support of SB0344 - Property Tax - Co

Uploaded by: Richard KAP Kaplowitz

Position: FAV

SB0344_RichardKaplowitz_FAV

02/18/2026

Richard Keith Kaplowitz

Frederick, MD 21703

TESTIMONY ON SB#/0344- POSITION: FAVORABLE

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

TO: Chair Guzzone, Vice Chair Rosapepe, and members of the Budget & Taxation Committee

FROM: Richard Keith Kaplowitz

My name is Richard Keith Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of SB#/0344, **Property Tax - Agricultural Use Assessment - Community Solar Energy Generating Systems**

This bill is submitted in response to the Federal Administration abandonment of solar energy as part of electrical generation in the United States and removal of tax incentives to adopt solar energy.

The Solar Energy Industries Association explained this onerous action - *EXPLAINED: The Clean Energy Provisions in the "One Big Beautiful Bill."*¹

On July 4, [2025], President Trump signed the "One Big Beautiful Bill." The bill makes steep cuts to solar energy and places new restrictions on energy tax credits that will slow the deployment of residential and utility-scale solar while undermining the growth of U.S. manufacturing.

EnergySage explained *The solar tax credit is ending—we answer 10 questions keeping you up at night*²

The clock is ticking on one of the biggest solar incentives in American history. Homeowners have until January 1, 2026 to claim the [30% federal tax credit](#)—a benefit that can shave thousands of dollars off your solar investment.

The average [solar panel system costs](#) around \$28,000, or about \$2.50 per watt, according to EnergySage's latest [Marketplace Report](#). With the tax credit, that drops to approximately \$19,400—a savings of roughly \$9,000. But the "Big Beautiful Bill," [signed by President Trump](#) on July 4, eliminated the tax credit years ahead of schedule.

Maryland aims for 100% clean electricity by 2035 and net-zero emissions by 2045, driven by the Climate Solutions Now Act. Current targets include 50% renewable energy by 2030, with a 14.5% solar carve-out by 2028 and significant expansion of offshore wind.³

To contravene Federal inaction and dropped support for solar energy this bill will alter the date from December 31, 2025, to December 31, 2030, by which certain community solar energy generating systems must be approved by the Public Service Commission in order for land that is used by the community solar energy generating systems to qualify for the agricultural use assessment.

I respectfully urge this committee to return a favorable report on SB#/0344.

¹ <https://seia.org/research-resources/clean-energy-provisions-big-beautiful-bill/>

² <https://www.energysage.com/news/solar-tax-credit-ending-questions-answered/>

³ Google AI Search "Maryland renewable energy goals"

MDFB - Support - SB344 Property Tax - Agricultural

Uploaded by: Ryan Snow

Position: FAV



Maryland Farm Bureau

3358 Davidsonville Road | Davidsonville, MD 21035
410-922-3426 | www.mdfarmbureau.com

February 18, 2026

To: Senate Budget and Taxation Committee

From: Maryland Farm Bureau, Inc.

RE: Support of SB344 – Property Tax – Agricultural Use Assessment – Community Solar Energy Generating Systems

On behalf of the nearly 7,000 member families of the Maryland Farm Bureau, I respectfully submit this written testimony in support of SB344 – Property Tax – Agricultural Use Assessment – Community Solar Energy Generating Systems. This legislation provides an important and timely adjustment to Maryland’s property tax framework by extending the approval deadline for community solar energy generating systems to qualify for the agricultural use assessment when paired with agrivoltaics.

As Maryland continues to expand its clean energy portfolio, agrivoltaic projects represent one of the most promising strategies for meeting renewable energy goals without sacrificing productive farmland. SB344 ensures that land used for community solar projects engaging in agrivoltaic practices, such as grazing, or crop production beneath and around solar arrays, continues to be recognized as land actively used for agricultural purposes. Extending the Public Service Commission approval deadline from December 31, 2025, to December 31, 2030, provides developers, farmers, and landowners with the predictability and runway needed to responsibly plan, finance, and construct these dual-use systems.

Without this extension, Maryland risks stalling agrivoltaic innovation and constraining participation in the state’s community solar program, particularly for rural communities and small farms that benefit most from the additional revenue and land-use flexibility. SB344 aligns tax policy with Maryland’s climate and agricultural objectives by affirming that clean energy production and agricultural productivity can coexist on the same acres.

For these reasons, Maryland Farm Bureau respectfully urges a favorable report on Senate Bill 344.

A handwritten signature in black ink, appearing to read 'Tyler Hough', written over a horizontal line.

Tyler Hough
Director of Government Relations

Please reach out to Tyler Hough, though@marylandfb.org, with any questions

SB344 - King - Sponsor Testimony.pdf

Uploaded by: Senator Nancy King

Position: FAV

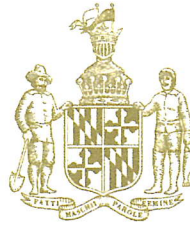
NANCY J. KING
Legislative District 39
Montgomery County

MAJORITY LEADER

Budget and Taxation Committee

Chair

Education, Business, and
Administration Subcommittee



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

**Senate Bill 344 – Property Tax – Agricultural Use Assessment –
Community Solar Energy Generating Systems**

February 18, 2026

Mister Chairman and Members of the Budget & Taxation Committee:

Agrivoltaics is defined in statute as, “the simultaneous use of areas of land for both solar power generation and agriculture.” Under current law land used for agrivoltaics may qualify for an agricultural use assessment only if approved by December 31, 2025, while a related personal property tax incentive for agrivoltaic community solar extends through December 31, 2030.

SB344 updates Property Tax §8-209 so that the agricultural use assessment deadline matches the 2030 date in §7-237, effectively continuing the same treatment that applied through the end of 2025. In practice, this does not change how existing, or near-term projects are handled; it simply maintains the status quo for an additional five years so both sections of law operate on the same timeline.

This alignment matters because agrivoltaics intentionally combines active agriculture and solar generation on the same parcel, allowing farmers to keep working the land, maintain soil health, and produce food while also generating clean electricity. Under the updated statutory framework adopted last year, these projects must satisfy the same requirements as other farms to retain agricultural use assessment, and they help preserve farmland, stabilize farm income, and bolster food security and rural economies.

Agrivoltaic projects are inherently more complex than conventional community solar: they take longer to plan and build, require close collaboration with agricultural operators, and depend on more intricate financing structures. When one part of statute uses a 2025 deadline for the land treatment and another uses a 2030 deadline for the equipment incentive, it sends mixed policy signals, drives up transaction costs, and complicates underwriting for lenders and tax-equity investors. Setting both dates at 2030 lowers risk, creates a single, predictable incentive horizon, and gives the permanent community solar program sufficient time to integrate agrivoltaics at scale.

Passage of this legislation will not create a new benefit nor broaden eligibility; it reconciles existing provisions so that Maryland’s approach to agrivoltaics remains coherent and continues the framework that has been in place through December 31, 2025, and so I respectfully request a favorable report on Senate Bill 344.

CCSA testimony_SB 344_2-18-2026.pdf

Uploaded by: Charlie Coggeshall

Position: FWA



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RE: SB 344 – Property Tax - Agricultural Use Assessment - Community Solar Energy Generating Systems

Favorable with Amendment

Chair Guzzone and members of the Senate Budget and Taxation Committee,

The Coalition for Community Solar Access (CCSA) provides this written testimony regarding Senate Bill (SB) 344. CCSA's position on this legislation is Favorable with Amendment.

CCSA is a national, business-led trade organization, composed of over 100 member companies, that works to expand access to clean, local, affordable energy nationwide through the development of robust community solar programs. Community solar projects involve medium-scale solar facilities that are shared by multiple community subscribers who receive credit on their electricity bills for their share of the power produced.

CCSA supports Senator King's SB 344, which amends Tax – Property Article § 8-209 to align the qualification period for the agricultural use assessment for agrivoltaic projects with the personal property tax exemption (also for agrivoltaic projects) found in the Tax – Property Article § 7-237. Under § 7-237, agrivoltaic community solar projects may qualify for a county/municipal personal property tax exemption, if approved on or before December 31, **2030**. However, the Tax – Property Article § 8-209 currently allows land used for agrivoltaics to be assessed and qualified as land that is actively used for farm and agricultural purposes (i.e., and agricultural use assessment), if approved on or before December 31, **2025**. SB 344 amends § 8-209 so that the qualification period is also December 31, 2030. This is a technical but important correction to ensure eligible projects can continue to be officially recognized as agrivoltaics for the purposes of participating in the community solar program.

As defined under Public Utilities Article § 7-306.2, a community solar project seeking qualification as an agrivoltaic project must maintain an agricultural use assessment under the standards of COMAR 18.02.03 or the Maryland Assessment Procedures Manual. The value of that qualification in the community solar program is that it allows for the co-location of community solar projects up to 10 megawatts rather than 5 megawatts. The economies-of-scale benefit for the project acts as a policy incentive for the market to pursue agrivoltaics.

CCSA is seeking a narrowly tailored amendment to SB 344 (attached hereto) to address a timing mismatch that is currently hindering the development of agrivoltaic community solar projects. Under current practice, the State Department of Assessments and Taxation (SDAT) determines whether a project qualifies for agricultural use assessment after it is constructed. As noted, that determination is critical because projects that qualify as agrivoltaics are permitted to co-locate solar generation with agricultural use, and therefore, can determine whether a project is viable at all. However, there is currently no mechanism for SDAT to review and confirm in advance of construction whether a proposed agricultural plan associated with an agrivoltaic project would satisfy the requirements for agricultural use assessment. This conflicts with the market reality for the vast majority of community solar projects, which require financing commitments *prior* to construction. Developers must secure funding for multi-million-dollar projects before the project is built and before agricultural operations are fully underway.



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The lack of an early confirmation mechanism creates significant uncertainty for lenders and investors. Without confidence that a project's agrivoltaic plan will qualify, financing becomes more difficult to obtain. As a result, otherwise viable agrivoltaic community solar projects are delayed or abandoned, undermining the policy goal of expanding agrivoltaics in Maryland.

CCSA's proposed amendment would authorize SDAT to review and confirm whether an applicant's agricultural use plan would meet the requirements for agricultural assessment. Importantly, projects would still be required to *implement* the approved agricultural plan in order to receive and maintain the agricultural use assessment, and SDAT would retain authority to revoke eligibility if the parcel fails to meet ongoing agricultural requirements.

Notably, the attached amendment allows SDAT to recover the administrative costs of reviewing these plans through a fee charged to the applicant. As such, the amendment should not create a fiscal impact, and SDAT would be fully compensated for its review.

SB 344, with the additional amendment recommended by CCSA, will provide clarity and certainty without weakening agricultural standards. It preserves SDAT's authority, ensures compliance with agricultural use requirements, and facilitates responsible agrivoltaic development consistent with the intent of this important policy.

For these reasons, CCSA respectfully requests a Favorable with Amendment report on SB 344.

Sincerely,

Charlie Coggeshall
Mid-Atlantic Director, CCSA
charlie@communitysolaraccess.org



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CCSA Amendment to SB 344

AMENDMENT NO. 1

On page 2, after line 21, insert:

“(5) ON WRITTEN REQUEST OF AN APPLICANT, THE DEPARTMENT SHALL ISSUE A WRITTEN PRECONSTRUCTION DETERMINATION STATING WHETHER THE LAND THAT IS THE SUBJECT OF THE REQUEST WILL QUALIFY TO BE ASSESSED AS FARM OR AGRICULTURAL USE LAND UNDER THIS SECTION IF THE PROPOSED COMMUNITY SOLAR ENERGY GENERATING SYSTEM IS CONSTRUCTED AND OPERATED SUBSTANTIALLY IN ACCORDANCE WITH THE MATERIALS SUBMITTED UNDER PARAGRAPH (6) OF THIS SUBSECTION.

(6) AN APPLICATION FOR A PRECONSTRUCTION DETERMINATION SHALL INCLUDE:

(I) IDENTIFICATION OF THE PARCEL OR PARCELS;

(II) A SITE PLAN SHOWING THE PROPOSED SOLAR LAYOUT AND THE ACREAGE TO REMAIN IN AGRICULTURAL ACTIVITY;

(III) AN AGRIVOLTAICS PLAN DESCRIBING:

1. THE AGRICULTURAL ACTIVITY TO BE CONDUCTED DURING OPERATION OF THE COMMUNITY SOLAR ENERGY GENERATING SYSTEM;

2. ACCESS AND FEATURES NECESSARY TO CONDUCT THE AGRICULTURAL ACTIVITY; AND

3. HOW THE DESIGN OF THE COMMUNITY SOLAR ENERGY GENERATING SYSTEM WILL ALLOW FOR AGRICULTURAL ACTIVITY;

(IV) AN ESTIMATED CONSTRUCTION SCHEDULE AND THE PROPOSED IN-SERVICE DATE; AND

(V) ANY OTHER INFORMATION REQUIRED BY DEPARTMENT REGULATION THAT IS REASONABLY NECESSARY TO APPLY THE CRITERIA ADOPTED UNDER PARAGRAPH (2) OF THIS SUBSECTION.



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(7) WITHIN 90 DAYS AFTER WHEN THE DEPARTMENT RECEIVES A COMPLETE APPLICATION FOR A PRECONSTRUCTION DETERMINATION UNDER PARAGRAPH (6) OF THIS SUBSECTION, THE DEPARTMENT SHALL:

(I) ISSUE A FAVORABLE THE PRECONSTRUCTION DETERMINATION;

(II) DENY THE WRITTEN PRECONSTRUCTION DETERMINATION; OR

(III) NOTIFY THE APPLICANT IN WRITING OF THE ADDITIONAL INFORMATION REQUIRED TO COMPLETE REVIEW.

(8) A PARCEL OR PARCELS SUBJECT TO A FAVORABLE WRITTEN PRECONSTRUCTION DETERMINATION UNDER THIS PARAGRAPH SHALL BE ASSESSED AND QUALIFIED BY THE DEPARTMENT AS FARM OR AGRICULTURAL USE LAND UPON VERIFICATION THAT THE PROJECT IS CONSTRUCTED AND OPERATED IN ACCORDANCE WITH THE APPROVED MATERIALS.

(9) AN APPROVED WRITTEN PRECONSTRUCTION DETERMINATION ISSUED BY THE DEPARTMENT UNDER PARAGRAPH (7)(I) OF THIS SUBSECTION SHALL QUALIFY THE LAND AS SATISFYING § 7-306.2(A)(2)(I)1 OF THE PUBLIC UTILITIES ARTICLE.

(10) THE DEPARTMENT MAY RESCIND A FAVORABLE PRECONSTRUCTION DETERMINATION IF THE DEPARTMENT FINDS THAT:

(I) THE COMMUNITY SOLAR ENERGY GENERATING SYSTEM, AS CONSTRUCTED OR OPERATED, MATERIALLY DIFFERS FROM THE APPROVED MATERIALS;

(II) AGRICULTURAL ACTIVITY IS NOT BEING MAINTAINED IN ACCORDANCE WITH THIS SECTION AND DEPARTMENT REGULATIONS; OR

(III) THE APPLICANT PROVIDED MATERIALLY INACCURATE INFORMATION IN ITS APPLICATION.

(11) THE DEPARTMENT MAY CHARGE AN APPLICATION FEE FOR A REQUEST UNDER THIS PARAGRAPH IN AN AMOUNT NECESSARY TO RECOVER THE DEPARTMENT'S COSTS TO ADMINISTER AND IMPLEMENT THIS SUBSECTION."

SB0344.pdf

Uploaded by: Kathleen Thompson

Position: UNF

Dear Chair and Members of the Committee,

I am writing to express my opposition to SB0344, which would extend the deadline for community solar energy projects to qualify for agricultural use property tax assessments.

While clean energy development is important, this bill unfairly reduces tax revenue for local governments by allowing landowners to continue receiving agricultural tax benefits for land that is increasingly being used for commercial solar operations rather than farming. This extension could disincentivize genuine agricultural production and shift the burden of funding local services onto other property owners.

Additionally, the bill creates a loophole that could be exploited, allowing solar developers to benefit from preferential tax treatment for long periods without clear requirements to maintain active agricultural use. Local governments rely on property tax revenue to fund schools, infrastructure, and emergency services; SB0344 would weaken that revenue stream while providing financial advantage to a relatively small group of landowners and developers.

For these reasons, I urge the committee to reject SB0344 and prioritize policies that balance clean energy growth with fair taxation and support for genuine farming activities.

Thank you for your consideration.

Sincerely,

Kathleen Thompson