

SB265_BrooksB_F.pdf

Uploaded by: Benjamin Brooks

Position: FAV

BENJAMIN BROOKS
Legislative District 10
Baltimore County

Education, Energy, and the
Environment Committee
Energy Subcommittee

Chair, Joint Electric Universal
Service Program Workgroup



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Annapolis Office
James Senate Office Building
11 Bladen Street, Room 303
Annapolis, Maryland 21401
410-841-3606 · 301-858-3606
800-492-7122 Ext. 3606
Benjamin.Brooks@senate.state.md.us

District Office
Windsor Mill Office
8419 Liberty Road, Suite B
Windsor Mill, Maryland 21244
410-496-4037

TESTIMONY IN SUPPORT OF SB 265
**Community Solar Energy Generating Systems – Prohibited Locations-
Adjacent Parcels**

Education, Energy and the Environment Committee
February 19, 2026

Chair Feldman, Vice Chair Kagan, and Members of the Committee:

Thank you for the opportunity to testify on SB 265, Community Solar Energy Generating Systems – Prohibited Locations – Adjacent Parcels. The purpose of this bill is to update Maryland’s community solar program by removing the adjacent-parcel requirement, making it easier to site community solar projects and expand access for residential and low- and moderate-income ratepayers.

The Problem This Bill Solves

Under current law, community solar projects located on adjacent parcels are treated cumulatively for purposes of capacity limitations. In practical terms, that means if one landowner installs a qualifying solar facility, a neighboring property owner may be prohibited from doing the same –not due to land suitability, environmental harm, or local opposition, but solely because of proximity.

SB 265 ensures that solar development on one parcel does not automatically disqualify a neighboring parcel from participating in Maryland’s community solar program. Each property should stand on its own merits. Each landowner should have the opportunity to contribute to Maryland’s clean energy goals, subject to the same statewide standards.

Why This Matters

First, this bill promotes equitable access to Maryland’s clean energy economy. Community solar provides energy savings to subscribers, including low- and moderate-income households. By removing artificial adjacent barriers, we expand participation opportunities for both landowners and ratepayers.

Second, this bill supports grid resilience and distributed generation. Maryland has made ambitious commitments under its Renewable Portfolio Standard (RPS). Meeting those targets

requires thoughtful deployment of distributed solar generation across the state. Arbitrary geographic caps undermine that effort.

Third, SB 265 avoids the creation of “solar exclusion zones.” Under existing law, once one parcel hosts a project, neighboring parcels may be effectively sterilized from solar participation. That was not the intent of our community solar framework, and it is not sound planning policy.

This bill does not create new entitlements. It does not waive environmental review. It simply removes an unnecessary barrier that treats adjacent property owners differently based solely on timing.

Addressing Concerns About “Acres and Acres of Solar”

Some have expressed concern that removing the adjacent prohibition could result in large swaths of uninterrupted solar development.

It is important to understand what this bill does and does not do.

Maryland recently enacted the Renewable Energy Certainty Act, which established statewide standards for solar siting. That law limits certain aspects of local zoning authority to prevent a patchwork of prohibitions that would frustrate statewide clean energy policy. However, it simultaneously imposes clear guardrails.

Solar facilities must comply with:

- Mandatory setbacks
- Landscaping and buffering requirements
- Screening standards
- Environmental protections
- Stormwater management requirements
- Agricultural and forest conservation limitations

These safeguards remain fully intact.

SB 265 does not override said protections. It does not eliminate setbacks, remove landscaping requirements, or authorize unlimited development. It simply ensures that if two neighboring property owners independently meet the statewide standards, one is not disqualified solely because the other project was approved first.

Even if adjacent parcels both host solar facilities, they remain separate projects with distinct approvals and compliance obligations. Property lines, and mandatory setbacks create separation; landscaping requirements, and environmental review continue to apply.

Ultimately, the Renewable Energy Certainty Act balances deployment with protective safeguards. SB 265 simply ensures that those guidelines, rather than arbitrary adjacency caps, govern outcomes.

Conclusion

Maryland has set ambitious and necessary clean energy goals. Achieving them requires clear rules, fairness among landowners, and elimination of unintended barriers.

SB 265 restores balance to our community solar framework. It promotes fairness while advancing distributed generation and maintains all of the safeguards already enacted by the General Assembly.

For these reasons, I respectfully request a favorable report on SB 265.

With kindest regards,

A handwritten signature in cursive script that reads "Benjamin T. Brooks".

Benjamin Brooks

Testimony on SB265 Community Solar Prohibited Loca

Uploaded by: Debbie Cohn

Position: FAV

Testimony on: SB265 - Community Solar Energy Generating Systems - Prohibited Locations - Adjacent Parcels

Committee: Education, Energy and the Environment

Organization: Maryland Legislative Coalition Climate Justice Wing

Submitting: Deborah A. Cohn

Position: Favorable

Hearing Date: February 19, 2026

Dear Chair Feldman, Vice-Chair Kagan and Committee Members:

SB265 would repeal the prohibition on developing community solar projects on adjacent parcels of land. I am a longtime Montgomery County resident concerned about a landowner's freedom (constrained by restrictions protecting public welfare to determine equity in participation by Maryland residents in the generation of solar energy and the state's longstanding failure to meet the solar energy targets of the Renewable Portfolio Standards. For these reasons I urge you to issue a favorable report on SB265.

Energy affordability remains a critical concern for Maryland residents as utility bills continue to rise at a greater rate than inflation. Under state law community solar projects must offer subscribers a discount from their utility's standard offer service rate. At least 40% of the capacity of new projects is reserved for low and moderate subscribers who are guaranteed a minimum 10 percent discount on their electricity bills, which is larger than for other subscribers. Community solar also allows residents who do not own the building in which they live (renters and condo owners) 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.

Maryland needs significant new electricity generation to address load growth and reliability. Yet it repeatedly fails to meet its solar energy requirements under the Renewable Portfolio Standards, and has fallen significantly behind on its climate goals under the Climate Solutions Now Act.

SB265 addresses these issues by repealing an existing restriction to now allow the development of community solar projects on adjacent land parcels. New community solar projects will develop only if the landowner wants to participate in the program. Thus, landowners remain in control of the use of their land, but by eliminating this restriction on projects on contiguous parcels, the government reduces an unnecessary restriction on a landowner's ability to determine the highest and best use of his or her land. This modest change will enable new clean energy generation projects to proceed where a landowner wants to participate, and where nearby interconnection points are favorable. The change will also enable more economically viable solar energy generation in Maryland, and improve energy affordability for willing residents.

For these reasons, I urge a **FAVORABLE** report on SB265.

SB0265 - Community Solar-Repeal Ban on Adjacent Pa

Uploaded by: HoCo Climate Action Organization

Position: FAV



HoCoClimateAction.org
Howard County, Maryland

Testimony: [SB0265](#) – **Community Solar Energy Generating Systems - Prohibited Locations - Adjacent Parcels**
Hearing Date: Feb. 19, 2026
Bill Sponsor: Senator Brooks
Committee: Education, Energy, and the Environment
Submitting: Liz Feighner for Howard County Climate Action
Position: Favorable

Dear Chair Feldman, Vice Chair Kagan and Committee Members,

[HoCo Climate Action](#) is a [350.org](#) local chapter and a grassroots organization representing approximately 1,400 subscribers. We are also a member of the [Climate Justice Wing](#) of the [Maryland Legislative Coalition](#). Our organization works with residents and ally organizations to promote a safe climate and clean energy future. Specifically, we have worked extensively on clean energy and on building electrification to help Maryland achieve its ambitious climate goals, including net-zero emissions.

We urge you to vote favorably on **SB0265 – Community Solar Energy Generating Systems - Prohibited Locations - Adjacent Parcels**, which would repeal an outdated rule, and allow the development of Community Solar projects on adjacent land parcels. This will enable new clean energy generation projects to proceed where there is a landowner wanting to participate in the program, and where nearby interconnection points are favorable.

As Maryland families continue to be burdened by ever increasing utility rates, Hoco Climate Action supports legislation that increases in-state solar which strengthens grid reliability and lower cost for ratepayers. The state continues to require vast quantities of new generation, to address immense data center load growth and the need to improve reliability in the region. Solar is the cheapest and quickest way to increase in-state clean energy generation.

Removing outdated barriers for solar growth in Maryland is necessary and urgent. Maryland has fallen behind on its climate goals under the Climate Solutions Now Act. With energy affordability front and center as an issue requiring our urgent action, Community Solar continues to provide an important opportunity for our Low and Moderate Income (LMI) residents to enjoy the benefits of substantial savings on their electricity bills.

For these reasons, we support **SB0265** and recommend a **favorable** report.

Howard County Climate Action
Submitted by Liz Feighner, Steering and Advocacy Committee
www.HoCoClimateAction.org
HoCoClimateAction@gmail.com

SB 265 - Chaberton - FAV.pdf

Uploaded by: John Miller

Position: FAV



February 17, 2026

RE: Senate Bill (SB) 265: Community Solar Energy Generating Systems - Prohibited Locations - Adjacent Parcels – Favorable

Chair Feldman, Vice Chair Kagan and members of the Senate Education, Energy, and the Environment Committee:

Introduction: Thank you for the opportunity to submit written testimony in support of HB 54. Chaberton Energy is a Maryland-based distributed energy developer focused on community solar and storage. A public benefit corporation, Chaberton is one of the largest developers in the Maryland Community Solar Energy Systems (“CSEGS”) Program. Chaberton has over 200 Megawatts of community solar, commercial solar, and storage in active development here in Maryland. With a total development pipeline of more than one Gigawatt and over 100 Megawatts of projects completed, Chaberton is one of the fastest growing energy companies in the nation, ranked 53rd on the 2025 and 34th on the 2024 Inc. 5000 lists.

Background: The Community Solar Permanent Program (Program), which was established by House Bill 908 during the 2023 Regular Session, established that Community Solar Energy Generating System (CSEGS) projects are those with a generating capacity above 2 Megawatts (MW) but no more than 5 MW. Furthermore, it established specific allowances for the co-location of these projects up to 10 MW. Currently, the Program restricts co-located CSEGS projects from being located on the same or adjacent parcels unless they meet specific requirements. These requirements include the incorporation of agrivoltaics, serving at least 75% low-to-moderate income (LMI) subscribers, or are developed in specified locations (brownfields, rooftops, areas zoned for industrial use, etc.).

Comments: Restricting CSEGS projects from being co-located on adjacent parcels has created significant uncertainty and risk in project development. Many developers, including Chaberton, have begun the costly and timely process of developing a project on a parcel to find late in the process that another developer is doing the same on an adjacent parcel. At such a late stage, the developer of each project has incurred significant cost prior to being made aware that their projects must now incorporate co-location requirements. The locations of these projects have already been determined. Therefore, each project must now incorporate either a 75% LMI subscriber base or agrivoltaics. These requirements add significant risk to development. There have been multiple instances of separate projects, on land owned by non-affiliated landowners and being developed by non-affiliated companies, being unintentionally developed on parcels which share common boundaries which therefore are adjacent. There are no current mechanisms for notification in this instance, leading to unmanageable risk in project development.

Maryland currently imports approximately 40 percent of its electricity. Our reliance on high volatility energy prices through PJM exposes ratepayers to rising costs and uncertain utility bills. To address this critical issue, the State must pursue practical solutions that protect ratepayers and strengthen grid reliability. Expanding in-state community solar will reduce dependence on the PJM marketplace, improve resilience, and deliver meaningful bill savings for Marylanders. Solar continues to be the fastest, most cost-effective generation available. SB 265 would facilitate ratepayer savings goals while supporting this type of energy generation by lifting a costly restriction on co-location.

Conclusion: For the reasons stated above, Chaberton strongly supports SB 265 and respectfully urges a favorable report. Thank you for your time and consideration. Please do not hesitate to reach out should the Committee have any questions.

SB265_ Community Solar Energy Generating Systems-Pr

Uploaded by: Laurie McGilvray

Position: FAV



Testimony on: SB265 - Community Solar Energy Generating Systems - Prohibited Locations - Adjacent Parcels

Committee: Education, Energy and the Environment

Organization: Maryland Legislative Coalition Climate Justice Wing

Submitting: Richard Deutschmann

Position: Favorable

Hearing Date: February 19, 2026

Dear Chair Feldman, Vice Chair Kagan, and Committee Members:

We are providing our testimony today in strong support of SB265, repealing the prohibition on developing solar projects on adjacent parcels in the Community Solar program. The Maryland Legislative Coalition Climate Justice Wing is a statewide coalition of 32 grassroots and professional organizations focused on climate justice and we urge you to vote favorably on SB265.

According to the Maryland Public Service Commission, the current Community Solar program in the state has more than 360 projects statewide in operation, under construction, or in design/development. These projects total more than 550MW of clean energy generation, and are widely distributed across every region of the state.

However, the state continues to require vast quantities of new generation, to address load growth, electrification of our buildings and transportation systems, and to improve reliability in the region. Additionally, Maryland has fallen behind on its climate goals under the Climate Solutions Now Act. And with energy affordability front and center as an issue requiring our urgent action, Community Solar continues to provide the opportunity for our Low and Moderate Income (LMI) residents to enjoy the benefits of substantial savings on their electricity bills.

SB265 makes a small change to address all of these issues, by repealing an outdated rule, and allowing the development of Community Solar projects on adjacent land parcels. This will enable new clean energy generation projects to proceed where there is a landowner wanting to participate in the program, and where nearby interconnection points are favorable. And in turn, expanding economically viable energy generation right here in Maryland, and improving energy affordability for our LMI residents.

For these reasons, we urge a **FAVORABLE** report on SB265.

350MoCo

Adat Shalom Climate Action

Cedar Lane Unitarian Universalist Church Environmental Justice Ministry

Chesapeake Earth Holders
Chesapeake Physicians for Social Responsibility
Climate Parents of Prince George's
Climate Reality Project
ClimateXChange
Coming Clean Network, Union of Concerned Scientists
DoTheMostGood Montgomery County
Echotopia
Elders Climate Action Maryland
Fix Maryland Rail
Glen Echo Heights Mobilization
Greenbelt Climate Action Network
HoCoClimateAction
IndivisibleHoCoMD
Maryland Legislative Coalition
Maryland Third Act
Mizrahi Family Charitable Fund
Mobilize Frederick
Montgomery County Faith Alliance for Climate Solutions
Montgomery Countryside Alliance
Mountain Maryland Movement
Nuclear Information & Resource Service
Progressive Maryland
Safe & Healthy Playing Fields
Takoma Park Mobilization Environment Committee
The Climate Mobilization MoCo Chapter
Unitarian Universalist Legislative Ministry of Maryland

SB 265 Letter of Support_Ameresco.pdf

Uploaded by: Lisa Smith

Position: FAV



February 17, 2026

Re: FAVORABLE – SB 265 – Community Solar Energy Generating Systems – Prohibited Locations – Adjacent Parcels

Dear Chair Feldman, Vice Chair Kagan, and members of the Senate Education, Energy, and the Environment Committee:

On behalf of Ameresco, a leading community solar developer and energy solutions provider, we respectfully submit this testimony in support of Senate Bill 265. This legislation makes a targeted but important clarification to the Community Solar Energy Generating Systems (CSEGS) statute by removing the restriction under which development on unrelated adjacent parcels can trigger collocation limitations.

Under existing law, an unintended consequence can arise in which two independent solar developers on neighboring properties effectively block one another from fully siting their respective CSEGS projects. PUA § 7-306.2 allows a CSEGS of up to 5 megawatts and permits collocation of up to 10 megawatts only if additional requirements are met, such as serving at least 75% low- and moderate-income (LMI) subscribers or incorporating agrivoltaics. The current adjacent-parcel provision creates significant risk that a late-stage project could be unexpectedly impacted by an unrelated development on neighboring land, triggering collocation requirements that were not anticipated. This situation can prevent otherwise eligible projects from moving forward and discourages efficient use of suitable land, undermining the intent of the community solar program.

SB 265 resolves this issue by eliminating the adjacent-parcel aggregation rule while maintaining the existing safeguards that apply to projects located on the same parcel. The bill ensures that separate landowners and developers can fully utilize their own properties without inadvertently triggering collocation restrictions intended for a single site.

Clear and consistent statewide laws and regulations are essential to successful long-term investments in community solar that deliver bill savings, grid reliability, and local economic development for Maryland residents and businesses. SB 265 will help ensure that high-quality, well-sited projects can move forward in partnership with Maryland's counties and communities.

By clarifying this provision, the legislation will support continued growth of community solar, improve access for subscribers — including low- and moderate-income households — and prevent unnecessary project conflicts that delay deployment of clean energy resources.

For these reasons, we respectfully urge a favorable report on Senate Bill 265.

Thank you for your consideration.

Jonathan Mancini
Senior Vice President
Ameresco, Inc.

CE Ball 2026 - SB-265 Community Solar on Adjacent

Uploaded by: Luke Verdi

Position: FAV



HOWARD COUNTY OFFICE OF COUNTY EXECUTIVE

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

Calvin Ball
Howard County Executive
cball@howardcountymd.gov

www.howardcountymd.gov
FAX 410-313-3051

February 17, 2026

The Honorable Brian J. Feldman, Chair
Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, Maryland 21401

Re: **TESTIMONY IN SUPPORT of Senate Bill 265: Community Solar Energy Generating Systems – Prohibited Locations – Adjacent 2 Parcels**

Dear Chair Feldman, Vice Chair Kagan, and Members of the Committee:

Howard County is pleased to support SB265. Climate action and environmental justice are high priorities for Howard County. Our June 2023 *Climate Forward: Climate Action and Resiliency Plan* sets forth ambitious goals to reduce greenhouse gases by 60% by 2030 and achieve net-zero emissions by 2045. Clean energy deployment is vital to meeting our climate goals, and as it is cheaper than fossil fuels, it also helps to improve energy affordability.

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.

Community solar programs ensure that the financial benefits of solar energy also reach residents who cannot install their own solar systems. These are often low- and moderate-income (LMI) residents. Community solar programs let households subscribe to a share of a larger solar system located elsewhere and buy solar electricity below standard utility rates. Howard County is currently in the process of developing its own community solar program for LMI residents in the BGE area.

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.

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.

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.



HOWARD COUNTY OFFICE OF COUNTY EXECUTIVE

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

Calvin Ball
Howard County Executive
cball@howardcountymd.gov

www.howardcountymd.gov
FAX 410-313-3051

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 facilitate clean energy deployment wherever possible. SB265 would promote community solar development by removing restrictions on using adjacent parcels for community solar projects if the combined total capacity exceeds 5 MW. This seemingly small amendment would make a difference because identifying land for solar generation can be a major challenge, limiting solar adoption. Solar installations need not be permanent and do not harm the land but rather allow soil to recuperate. Thus, current restrictions on adjacent parcels of suitable land that are available within the confines of other zoning and permitting rules appear unnecessary and arbitrary.

Now is the time to ensure that the clean energy transition does not leave out vulnerable communities that would most benefit. Community solar programs help democratize solar access and create cleaner and cheaper electricity for Marylanders. Howard County respectfully requests the Committee issue a favorable report for SB265.

Respectfully,

Calvin Ball
Howard County Executive

Maryland Energy Adm

Uploaded by: Megan Outten

Position: FAV



Maryland

Energy Administration

TO: Chair Feldman, Vice Chair Kagan, and Members of the Education, Energy, and Environment Committee

FROM: MEA

SUBJECT: SB 265 - Community Solar Energy Generating Systems - Prohibited Locations - Adjacent Parcels

DATE: February 19, 2026

MEA Position: FAVORABLE

The Maryland Energy Administration (MEA) respectfully submits this letter in support of Senate Bill 265.

SB 265 repeals the prohibition preventing community solar energy generating systems from being located on adjacent parcels when the combined installed capacity would exceed 5 megawatts. The bill maintains the 5-megawatt cap per individual project, but removes barriers that have unnecessarily constrained thoughtful, site-appropriate development across contiguous properties.

Maryland's Community Solar Program has become a cornerstone of the State's clean energy strategy. By allowing subscribers to receive bill credits through virtual net energy metering, community solar expands access to clean energy for renters, homeowners without suitable rooftops, small businesses, and households in multifamily housing. Community solar also represents one of the easiest ways for ratepayers to immediately reduce their utility bills; savings of 5-25% are typical. SB 265 facilitates additional deployment that can expand subscription opportunities for LMI households, particularly in service territories where subscriber demand continues to outpace available capacity.

The bill preserves the integrity of the 5-megawatt project cap while addressing an adjacent-parcel restriction that can unintentionally limit efficient use of appropriately zoned or previously disturbed land. Parcel boundaries often reflect historic subdivision patterns rather than practical site conditions. By removing this constraint, SB 265 allows developers and landowners to utilize contiguous parcels more effectively without altering core program safeguards or increasing the size limit of any individual system.

Existing law already prioritizes responsible siting, including rooftops, industrially zoned areas, brownfields, parking canopies, transportation corridors, and agrivoltaic projects. The law also provides enhanced flexibility for co-located systems that serve at least 75 percent LMI subscribers or incorporate agrivoltaics. SB 265 works within this framework and complements Maryland's growing emphasis on dual-use agricultural solar and land-efficient development strategies.

Clear and workable siting rules reduce development uncertainty, improve financing predictability, and support timely project deployment. In turn, these improvements expand supply and strengthen competitive subscription offerings for Maryland households and businesses.

Community solar plays a vital role in Maryland's energy portfolio. It contributes to greenhouse gas reductions, supports local job creation, enhances grid resilience through distributed generation, and provides meaningful energy savings to residents who cannot install rooftop solar. SB 265 represents a targeted statutory refinement that maintains environmental protections, capacity limits, and LMI participation requirements while improving program functionality.

For these reasons, MEA urges the committee to issue a **favorable report**.

Our sincere thanks for your consideration of this testimony. For questions or additional information, please contact Megan Outten, Policy manager, at megan.outten@maryland.gov or 443.842.1780.

SB0265 Community Solar - Favorable Kranz 2-19-26.p

Uploaded by: Rhonda Kranz

Position: FAV

Testimony on: SB265 - Community Solar Energy Generating Systems – Prohibited Locations - Adjacent Parcels

Committee: Education, Energy and the Environment

Submitting: Rhonda Kranz

Position: Favorable

Hearing Date: February 19, 2026

Dear Chair Wells, Vice Chair Kerr and Committee Members:

Thank you for accepting my written testimony in support of SB265, repealing the prohibition on developing solar projects on adjacent parcels in the Community Solar program. I have lived in Maryland for 30 years and am very concerned that Maryland meets its climate goals under the Climate Solutions Now Act and addresses energy affordability especially for those with low incomes.

Solar energy has become one of the most viable and economic sources of energy available. The Maryland Public Service Commission reports that the current Community Solar Program has more than 360 projects in operation, under construction or in development, and generates 550MW of clean energy generation across the state. However, Maryland faces a growing need for new generation of energy to address load growth, electrification of our buildings and transportation systems, and to improve reliability in the region.

As Maryland has fallen behind in its climate goals, we need to assure that energy generation is from clean energy. SB265 would repeal an outdated rule, and allowing the development of Community Solar projects on adjacent land parcels. This will enable new clean energy generation projects to proceed in places where a landowner wants to participate and nearby interconnection points are favorable and would expand economically viable energy generation in Maryland, and improve energy affordability for the state's low and Moderate Income residents.

For these reasons, I support SB265 and urge a FAVORABLE report in Committee.

Testimony in support of SB0265 - Community Solar E

Uploaded by: Richard KAP Kaplowitz

Position: FAV

SB0265_RichardKaplowitz_FAV
02/19/2026
Richard Keith Kaplowitz
Frederick, MD 21703

TESTIMONY ON SB#/0265 – FAVORABLE

Community Solar Energy Generating Systems - Prohibited Locations - Adjacent Parcels

TO: Chair Feldman, Vice Chair Kagan, and members of the Education, Energy and the Environment Committee

FROM: Richard Keith Kaplowitz

My name is Richard K. Kaplowitz. I am a resident of District 3. I am submitting this testimony in support of SB#0265, Community Solar Energy Generating Systems - Prohibited Locations - Adjacent Parcels

This bill expands site locations for solar energy generation subject to limits on the amount of power such site will create for the local community supported by that installation. Those sites include:

- on the rooftops of buildings
- in areas that are zoned for industrial use
- on brownfields locations and clean fill sites
- over parking lots or roadways
- on multilevel parking structures
- on or over transportation or public rights-of-way
- at airports
- on land that was previously zoned for industrial use or is ecologically compromised
- is not targeted for mitigation or restoration
- or in any location if the combined capacity of all community solar energy generating systems on the same [or adjacent] parcel does not exceed 10 megawatts

This bill will offer communities greater control over solar farms site selection by repealing certain prohibitions on the location of a community solar energy generating system based on the combined installed capacity of all community solar energy generating systems on adjacent parcels of land.

I respectfully urge this committee to return a favorable report and pass SB0265.

SB0265-EEE_MACo_SWA.pdf

Uploaded by: Dominic Butchko

Position: FWA



Senate Bill 265

Community Solar Energy Generating Systems - Prohibited Locations - Adjacent Parcels

MACo Position: **SUPPORT**
WITH AMENDMENTS

To: Education, Energy, and the Environment
Committee

Date: February 19, 2026

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS SB 265 WITH AMENDMENTS**. This bill would remove the existing prohibition on co-locating community solar projects on adjacent parcels. Sponsor amendments, supported by MACo, would align community solar siting and revise standards with the safeguards enacted under the Renewable Energy Certainty Act of 2025.

Nearly a decade ago, the General Assembly created Maryland’s community solar program as a distinct category of solar energy generating systems designed to expand access to clean energy – particularly for moderate- and low-income subscribers – through specific program requirements and consumer protections. At the time, the program also included siting guardrails intended to manage local impacts and ensure responsible project placement. Since then, however, the energy market and regulatory framework have evolved significantly. As a result, the guardrails that apply uniquely to community solar are increasingly less effective where similarly sized or larger non-community solar projects are not subject to the same standards.

After working with the sponsor, counties have agreed on several amendments to modernize and harmonize these guardrails so that community solar and comparable standard solar projects are subject to consistent, predictable safeguards. This approach preserves the benefits of community solar while ensuring local governments have clear and equitable tools to manage siting and community impacts. MACo’s amendments accomplish four primary goals:

- 1) ***Guardrails aimed at areas primed for housing.*** Apply the same growth area limitations to community solar as are applicable to standard solar. In the Renewable Energy Certainty Act, standard solar was limited to a total of 5 megawatts in tier 1 and 2 growth areas. This same limitation should be applied to community solar projects.
- 2) ***Strikes salvage value from the calculation of the decommissioning bond.*** No facility has yet to be decommissioned, and the 30-year time horizon for the lifespan of these facilities means an accurate calculation is near impossible. Even with the bonds being renewed every 5 years, this is still a horizon with little predictability. Without this change, both the state and county governments may be facing serious costs related to decommissioning if there was a scenario where a bond will need to be called, and the total is insufficient.

- 3) Clarifies that the 5% limit within a priority preservation area includes facilities constructed both before and after the effective date of the legislation. There have been some questions about interpretation and intent. This addition just clarifies that all facilities should be included in that calculation, regardless of the construction date.

- 4) Adjusts the Priority Preservation Area (PPA) establishment date to January 1, 2026. Somerset County was in the process of still establishing a PPA when this legislation was enacted. This change ensures that Somerset can still enjoy the incentives under this legislation to further solar development. Between enactment and January 1, 2026, no other county has established or adjusted their PPA.

Counties thank the sponsor for their partnership in addressing local concerns and remain committed to being productive stakeholders in addressing the state's energy needs. Accordingly, MACo urges the Committee to issue a **FAVORABLE WITH AMENDMENTS** report for SB 265.