



HB1328/173825/1

<p>AMENDMENTS PREPARED BY THE DEPT. OF LEGISLATIVE SERVICES</p> <p>27 FEB 24 10:56:56</p>

BY: Delegate Ziegler
(To be offered in the Economic Matters Committee and the Appropriations Committee)

AMENDMENTS TO HOUSE BILL 1328
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Development**” insert “, **Removal**,”; in line 3, after “of” insert “requiring the Department of Agriculture to develop a certain list and provide free contract negotiation assistance to farmers interested in leasing their agricultural land for the installation and operation of a solar energy generating system;”; in line 9, after “entity;” insert “requiring the owner or operator of a certain solar energy generating system to remove the generating system under certain circumstances and provide certain security for the removal; requiring the Power Plant Research Program to develop time frames for the removal of certain solar energy generating systems; authorizing the county finance officer or appropriate local authority to fine the owner or operator of a certain solar energy generating system under certain circumstances;”; and after line 28, insert:

“BY adding to
Article - Agriculture
Section 2–801 to be under the new subtitle “Subtitle 8. Solar Energy Development on Agricultural Land”
Annotated Code of Maryland
(2016 Replacement Volume and 2023 Supplement)”.”

AMENDMENT NO. 2

On page 2, after line 25, insert:

“Article – Agriculture”

SUBTITLE 8. SOLAR ENERGY DEVELOPMENT ON AGRICULTURAL LAND.

2-801.

(A) (1) THE DEPARTMENT SHALL DEVELOP A LIST OF CONSIDERATIONS AND BEST PRACTICES TO ASSIST FARMERS IN DETERMINING WHETHER TO LEASE THEIR AGRICULTURAL LAND FOR THE INSTALLATION AND OPERATION OF A SOLAR ENERGY GENERATING SYSTEM.

(2) THE LIST DEVELOPED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE INFORMATION ON:

(I) CHANGES IN WATER USE ASSOCIATED WITH THE INSTALLATION AND OPERATION OF A SOLAR ENERGY GENERATING SYSTEM;

(II) ACCESS REQUIREMENTS FOR THE INSTALLATION AND OPERATION OF A SOLAR ENERGY GENERATING SYSTEM;

(III) CONSTRUCTION IMPACTS ASSOCIATED WITH THE INSTALLATION OF A SOLAR ENERGY GENERATING SYSTEM, INCLUDING ELECTRICITY USE AND SITE CLEANUP; AND

(IV) HOW TO CONFIRM THAT A SOLAR ENERGY DEVELOPER IS IN COMPLIANCE WITH LOCAL ORDINANCES AND ANY OTHER REQUIREMENTS.

(B) THE DEPARTMENT SHALL PROVIDE FREE CONTRACT NEGOTIATION ASSISTANCE TO FARMERS INTERESTED IN LEASING THEIR AGRICULTURAL LAND FOR THE INSTALLATION AND OPERATION OF A SOLAR ENERGY GENERATING SYSTEM.”.

On page 2 in line 33, and on page 3 in line 1, in each instance, after “SOLAR” insert “ENERGY”.

On page 6 in lines 22 and 28, and on page 7 in lines 2 and 10, in each instance, strike “STATION” and substitute “SYSTEMS”.

On page 7, after line 10, insert:

“(C) (1) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE OWNER OR OPERATOR OF A GROUND-MOUNTED SOLAR ENERGY GENERATING SYSTEM WITH A CAPACITY TO PRODUCE UP TO 5 MEGAWATTS OF ELECTRICITY SHALL REMOVE THE GENERATING SYSTEM FROM THE SITE AT WHICH THE GENERATING SYSTEM IS LOCATED NOT LATER THAN 6 MONTHS AFTER THE GENERATING SYSTEM CEASES TO GENERATE ELECTRICITY.

“(II) THE POWER PLANT RESEARCH PROGRAM SHALL DEVELOP TIME FRAMES FOR THE REMOVAL OF GROUND-MOUNTED SOLAR ENERGY GENERATING SYSTEMS WITH A CAPACITY TO PRODUCE MORE THAN 5 MEGAWATTS OF ELECTRICITY BUT THAT NO LONGER GENERATE ELECTRICITY.

“(2) (I) THE OWNER OR OPERATOR OF A GROUND-MOUNTED SOLAR ENERGY GENERATING SYSTEM SHALL SECURE THE OBLIGATION TO REMOVE THE GENERATING SYSTEM AS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION BY MAINTAINING A BOND, ESCROW, OR OTHER FORM OF SECURITY IN AN AMOUNT EQUAL TO THE ESTIMATED FUTURE COST OF REMOVING THE GENERATING SYSTEM.

“(II) THE REQUIRED SECURITY AND ESTIMATED COST OF REMOVAL SHALL BE:

(Over)

1. DUE TO THE RELEVANT COUNTY FINANCE OFFICER OR OTHER APPROPRIATE LOCAL AUTHORITY NOT LATER THAN 10 YEARS AFTER THE DATE THE INTERCONNECTION REQUEST FOR THE GROUND-MOUNTED SOLAR ENERGY GENERATING SYSTEM WAS APPROVED BY THE RELEVANT ELECTRIC COMPANY; AND

2. SUBMITTED TO THE RELEVANT COUNTY FINANCE OFFICER OR OTHER APPROPRIATE LOCAL AUTHORITY IN THE FORM DETERMINED APPROPRIATE BY THE COUNTY FINANCE OFFICER OR LOCAL AUTHORITY.

(3) (i) IF THE OWNER OR OPERATOR OF A GROUND-MOUNTED SOLAR ENERGY GENERATING SYSTEM DOES NOT PROVIDE ADEQUATE SECURITY IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION, THE COUNTY FINANCE OFFICER OR APPROPRIATE LOCAL AUTHORITY MAY FINE THE OWNER OR OPERATOR ONE-FIFTH OF THE ESTIMATED COST OF REMOVAL EACH YEAR, FOR UP TO 5 YEARS, THAT THE OWNER OR OPERATOR IS OUT OF COMPLIANCE.

(ii) THE COUNTY FINANCE OFFICER OR APPROPRIATE LOCAL AUTHORITY SHALL HOLD THE FINES COLLECTED UNDER SUBPARAGRAPH (i) OF THIS PARAGRAPH IN ESCROW UNTIL:

1. THE OWNER OR OPERATOR PROVIDES AN ACCEPTABLE FORM OF SECURITY; OR

2. THE FINES ARE UTILIZED TO REMOVE THE GENERATING SYSTEM IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION.”.