

Amendment 1 to Council Bill No. 59 - 2026

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Legislative Day 12

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Amendment No. 1

(This Amendment does the following:

- 1. Removes the moratorium and specifies that any projects on ALPP easement properties will go through the conditional use process beginning on the effective date of this Act;*
- 2. Adds a recital that the preemption in RECA appears to not preempt the County from exercising its property rights regarding ALPP easements;*
- 3. Requires that the DPZ report be submitted to the County Council and County Executive within 30 days of the Meeting being held and presented in a public session to the Council within 10 days of the report submission; and*
- 4. Adds language to require that the State Attorney General's Office and the Howard County Office of Law be included in the meeting.)*

1 On the Title page, in the Short Title, strike “Temporary Hold” and insert “Conditional Use
2 Required on Agricultural Land.”.

3

4 On the Title page, strike beginning with “temporarily” in line 1 of the Title up to the semicolon
5 in line 2, and insert the following:

6 “requiring that approvals for solar energy facilities on land encumbered with agricultural
7 preservation easements go through the existing Conditional Use process for Solar Collector
8 Facility, Commercial Ground-Mount, as defined in the Howard County Zoning Regulations”.

9

10 On page 3, immediately before line 1, insert the following:

11 “ WHEREAS, HB1036 does not appear to preempt the County from exercising its
12 property rights regarding land encumbered with Agricultural Land Preservation Program (ALPP)
13 easements; and”.

14

On page 3, strike lines 8-27 in their entirety, and substitute the following:

“Section 1. Be It Enacted by the County Council of Howard County, Maryland, that in exercising its property rights regarding land encumbered with an Agricultural Land Preservation Program (ALPP) easement, the County shall require any solar energy facility to be developed on such land to go through the existing Conditional Use process for Solar Collector Facility, Commercial Ground-Mount.”.

Re-number the following sections accordingly.

On page 4, in line 3 after the second semi-colon, insert “the Attorney General of Maryland, or a representative from the Office of the Attorney General authorized to opine on the issue;”.

On page 4, in line 5 after the semi-colon, insert “the Howard County Office of Law,”.

On page 4, in line 9, strike “one hundred and twenty days of the enactment of this legislation,” and insert the following:

“thirty days following the meeting described in Paragraph (i).”.

On page 5, in line 1, strike “60” and insert “10”.

On page 5, in line 6, strike “Temporary Solar Facility Hold”, and insert “Solar Facilities on Agricultural Land”.

Strike beginning with line 23 on page 5 through line 7 on page 6 and re-number the remaining sections accordingly.

- 1 On page 6, strike lines 16-19 in their entirety.