SENATE DOCKET, NO. 238 FILED ON: 1/26/2021

SENATE . . . . . No. 2174

The Commonwealth of Massachusetts

PRESENTED BY:

Paul R. Feeney

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to large-scale solar energy installations on agricultural or recreational land of the commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Paul R. Feeney	*Bristol and Norfolk*
Paul McMurtry	*11th Norfolk*

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SENATE . . . . . No. 2174

By Mr. Feeney, a petition (accompanied by bill, Senate, No. 2174) of Paul R. Feeney and Paul McMurtry for legislation relative to large-scale solar energy installations on agricultural or recreational land of the commonwealth. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act relative to large-scale solar energy installations on agricultural or recreational land of the commonwealth.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 25A of the General Laws is hereby amended by adding the following section:-

Section 18. (a) For the purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

"Agricultural land", land owned by the commonwealth or any state agency or instrumentality of the commonwealth or any political subdivision thereof, including a local governmental body, and utilized for an active or passive agricultural use or horticultural use.

"Large-scale solar energy installation", a ground-mounted solar energy system or solar photovoltaic system installation that occupies more than 5 acres of total surface area.

"Recreational land", land owned by the commonwealth or state agency or instrumentality of the commonwealth or any political subdivision thereof, including a local governmental body, and utilized for an active or passive recreational use including, but not limited to, the use of land

for community gardens, trails and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field.

"Solar energy system", a device or structural design feature, a substantial purpose of which is to provide daylight for interior lighting or provide for the collection, storage and distribution of solar energy for space heating or cooling, electricity generation or water heating.

"Solar photovoltaic system", an active solar energy system that converts solar energy directly into electricity.

(b) Notwithstanding any general or special law to the contrary, no large-scale solar energy installation shall be installed on agricultural land or recreational land unless the commissioner certifies that land of like kind and quantity will be dedicated to use as agricultural land or recreational land. The commissioner shall record the certification in the registry of deeds not less than 30 days prior to the installation of the large-scale solar energy installation. The certification shall identify the parcel to be on which large-scale solar energy installation will be installed and the parcel to be dedicated to agricultural land or recreational land.