

HOUSE No. 3559

The Commonwealth of Massachusetts

PRESENTED BY:

Lindsay N. Sabadosa and Sean Garballey

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 to encourage solar development on buildings and disturbed land.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/14/2025</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>1/14/2025</i>
<i>Simon Cataldo</i>	<i>14th Middlesex</i>	<i>10/1/2025</i>
<i>Nick Collins</i>	<i>First Suffolk</i>	<i>1/26/2026</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>9/11/2025</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>9/19/2025</i>
<i>John R. Gaskey</i>	<i>2nd Plymouth</i>	<i>9/7/2025</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>9/15/2025</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>3/16/2025</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>3/4/2025</i>
<i>Steven Owens</i>	<i>29th Middlesex</i>	<i>10/3/2025</i>
<i>Adrienne Pusateri Ramos</i>	<i>14th Essex</i>	<i>3/6/2025</i>
<i>Margaret R. Scarsdale</i>	<i>1st Middlesex</i>	<i>10/5/2025</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>4/7/2025</i>

HOUSE No. 3559

By Representatives Sabadosa of Northampton and Garballey of Arlington, a petition (accompanied by bill, House, No. 3559) of Lindsay N. Sabadosa, Sean Garballey and others for legislation to encourage solar development on buildings and disturbed land. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act to encourage solar development on buildings and disturbed land.

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

1 SECTION 1. Section 138 of Chapter 164 of the General Laws, is hereby amended in the
2 definition of “Class III net metering facility” by adding at the end thereof, the following words:
3 “; provided further, that a Class III net metering facility that is a solar net metering facility
4 located on built land may have a generating capacity of more than 1 megawatt but less than or
5 equal to 5 megawatts.”

6 SECTION 2. Section 138 of Chapter 164 of the General Laws, is hereby amended by
7 adding the following definitions:

8 “Disturbed land”, land containing pavement, compacted urban soils, gravel pits,
9 junkyards, abandoned dumping grounds and other land that is barren of native plant growth due
10 to human activity prior to January 1, 2024 and land that is part of a parcel containing a building

11 and is not and has not been forest or tree covered or used for agriculture or zoned for agriculture
12 since January 1, 2012.

13 “Built land”, parking lots over which a solar canopy can be installed, structures,
14 brownfields, landfills, roadway cuts or disturbed land.

15 SECTION 3. Section 139(i) of chapter 164 of the General Laws, as amended by chapter 8
16 of the acts of 2021, and amended by Section 54 of chapter 179 of the acts of 2022 is hereby
17 further amended by adding the following sentence:

18 A Class I net metering facility on built land with a capacity greater than 25 kilowatts, a
19 Class II net metering facility on built land or Class III solar net metering facility on built land
20 shall be exempt from subsections (b1/2) and (k) and from the aggregate net metering capacity of
21 facilities that are not net metering facilities of a municipality or other governmental entity under
22 subsection (f) and may net meter and, irrespective of size, accrue Class II net metering credits if
23 it is generating renewable energy.

24 SECTION 4. Chapter 75 of the acts of 2016, as amended by section 63 of chapter 179 of
25 the acts of 2022, is hereby further amended by inserting after 11A the following three new
26 sections:

27 Section 11B. The department of energy resources shall promulgate regulations to include
28 in the solar incentive program established in section 11 and in any successor solar incentive
29 program, additional adders for solar facilities located on built land, including parking lot
30 canopies, and remove declining incentive blocks for solar facilities located on built land. The
31 department of energy resources shall promulgate regulations that allow adjustment of incentives
32 for solar energy based on market conditions for energy, labor, steel, other materials associated

33 with the manufacturing of solar panels, and other solar development cost realities. By December
34 31, 2025 the department of energy resources and the department of public utilities shall finalize
35 these changes for built land.

36 Section 11C. The executive office of environmental affairs shall investigate and report on
37 appropriate uses of federal funds and funds held in the transitional escrow account, specifically
38 funds transferred pursuant to section 259 of chapter 268 of the acts of 2022 to the Transitional
39 Escrow Fund established in section 16 of chapter 76 of the acts of 2021, as amended by section 4
40 of chapter 98 of the acts of 2022, and any funds remaining in the federal COVID-19 response
41 fund established in section 2JJJJ of chapter 29 of the General Laws to encourage the equitable
42 deployment of solar facilities located on built land. The executive office of energy and
43 environmental affairs shall transmit the report to the house and senate chairs of the joint
44 committee on telecommunications, utilities and energy, and the chairs of the house and senate
45 committees on ways and means no later than December 31, 2025.

46 Section 11D. The Massachusetts Clean Energy Center shall create an incentive for roof
47 repair or replacement as part of a rooftop solar project if needed to make solar an economically
48 sound choice, either as a grant program or a feed in tariff via the solar incentive program
49 established in section 11 and in any successor solar incentive program, with priority for buildings
50 in environmental justice communities. By December 31, 2025 the Massachusetts Clean Energy
51 Center shall implement an incentive.

52 SECTION 5. By December 31, 2025 the department of public utilities shall implement
53 SECTION 3.