

SENATE BILL 699

M1, C5

5lr2075
CF 5lr2076

By: **Senator Ready**

Introduced and read first time: January 26, 2025

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Forest Conservation Act – Linear Projects – Alteration**

3 FOR the purpose of altering the definition of “linear project” under the Forest Conservation
4 Act to exclude a project for a new transmission line or new distribution line
5 constructed on or after a certain date; and generally relating to tree removal and
6 replacement by electric companies.

7 BY repealing and reenacting, without amendments,
8 Article – Natural Resources
9 Section 5–1601(a), 5–1602(a) and (b)(7), and 5–1606(a)
10 Annotated Code of Maryland
11 (2023 Replacement Volume and 2024 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Natural Resources
14 Section 5–1601(u)
15 Annotated Code of Maryland
16 (2023 Replacement Volume and 2024 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
18 That the Laws of Maryland read as follows:

19 **Article – Natural Resources**

20 5–1601.

21 (a) In this subtitle the following words have the meanings indicated.

22 (u) **(1)** “Linear project” means a project [whose]:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(I) WHOSE configuration is elongated with nearly parallel sides and used to transport a utility product or public service not otherwise contained in an application for subdivision, such as electricity, gas, water, sewer, communications, trains, and vehicles[. Linear projects]; AND

(II) THAT may traverse fee simple properties through defined boundaries or through easement rights.

(2) “LINEAR PROJECT” DOES NOT INCLUDE A PROJECT FOR A NEW TRANSMISSION LINE OR NEW DISTRIBUTION LINE CONSTRUCTED ON OR AFTER OCTOBER 1, 2025.

5–1602.

(a) Except as provided in subsection (b) of this section, this subtitle shall apply to any public or private subdivision plan or application for a grading or sediment control permit by any person, including a unit of State or local government on areas 40,000 square feet or greater.

(b) The provisions of this subtitle do not apply to:

(7) Any activity conducted on a single lot of any size or a linear project provided that:

(i) The activity does not result in the cutting, clearing, or grading of more than 20,000 square feet of forest; and

(ii) The activity on the lot or linear project will not result in the cutting, clearing, or grading of any forest that is subject to the requirements of a previous forest conservation plan prepared under this subtitle;

5–1606.

(a) (1) For the following land use categories, tracts having less than 20% of the net tract area in forest cover shall be afforested up to 20% of the net tract area:

(i) Agriculture and resource areas; and

(ii) Medium density residential areas.

(2) For the following land use categories, tracts having less than 15% of the net tract area in forest cover shall be afforested up to 15% of the net tract area:

(i) Institutional development areas;

(ii) High density residential areas;

1 (iii) Mixed use and planned unit development areas; and

2 (iv) Commercial and industrial use areas.

3 (3) Afforestation requirements must conform to the conditions in §§ 5–1607
4 and 5–1610 of this subtitle, including payment into the Forest Conservation Fund, if
5 afforestation on–site or off–site cannot be reasonably accomplished.

6 (4) (i) The afforestation requirements under this subsection shall be
7 accomplished within 1 year or 2 growing seasons after the completion of the development
8 project.

9 (ii) If afforestation cannot be reasonably accomplished on–site or
10 off–site, the requirement to contribute money to a Forest Conservation Fund under §
11 5–1610 of this subtitle shall be met within 90 days after the completion of the development
12 project.

13 (5) Linear projects that involve no change in land use may not be subject
14 to afforestation requirements.

15 (6) Solar photovoltaic facilities may not be subject to afforestation
16 requirements under this subtitle.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2025.