

HB 440 -- SOLAR ENERGY PROJECTS

SPONSOR: Haden

Beginning January 1, 2026, for purposes of assessing all real property, excluding land, or tangible personal property associated with a project that uses solar energy directly to generate electricity, the tax liability will be equal to \$2500 per megawatt of nameplate capacity. All land associated with the project that used solar energy will be assessed as commercial property.

As specified in this bill, if any public utility company has ownership of any real or personal property associated with a project which uses solar energy directly to generate electricity, such solar energy project property will be valued and taxed by any local authorities having jurisdiction.

Beginning January 1, 2026, for any public utility company which has a solar energy project, such solar energy project must be assessed with any solar energy property of such company assessed upon the county assessor's local tax rolls, and all other real property, excluding land, or personal property related to the solar energy project assessed using the methodology as specified in the bill.

The total amount of real property associated with all solar energy projects in any county may not exceed 2% of all cropland in the county, except a county commission may increase the percentage by order, ordinance, regulation, or a vote of the county residents. Any resident of the county has standing to bring suit if he or she believes that the cap on cropland has been met.

For all solar energy projects built on or after January 1, 2026, the project will be subject to certain setbacks specified in the bill from adjacent property.

A solar energy company must secure all property rights or easements necessary for transmission and interconnection to the electrical grid prior to construction of a solar energy project.

This bill is the same as HCS HB 2651 (2024).