



**Siting Solutions
Project**

The State of Siting: 2026 Legislative Round-Up

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About this Report

The Siting Solutions Project is a non-partisan initiative that works to address energy siting and permitting barriers by providing expert analysis and insight to stakeholders and decisionmakers. We conduct foundational analysis and policy development, track state legislation and policy trends, convene stakeholders on siting strategy, and provide direct technical assistance to advocates and policymakers.

The Siting Solutions Project annually tracks renewable energy siting legislation as it moves through state houses across the country. With legislative sessions winding down, *The State of Siting: 2026 Legislative Round-Up* synthesizes our **bill tracking and political intel**, highlighting national trends, key takeaways, state-specific insights, and providing a forecast for siting policy in the next year.

Our aim with this report is to give policymakers, advocates, and the clean energy industry a clear, evidence-based picture of where clean energy siting policy stands, and where it might be heading.

Executive Summary

2026 was an active year for renewable energy siting, and it unfolded against a backdrop of surging electricity demand, putting more pressure on states to address the barriers to building more energy generation. In the short legislative year, lawmakers across the country still introduced a wave of bills to reshape the rules around where and how large-scale wind, solar, and battery projects are sited and built.

The Siting Solutions Project tracked 201 bills across 40 states, analyzing policies that regulated setback distances, decommissioning and financial-assurance requirements, local zoning authority, moratoriums, and more. Grounded in our expertise on state policy approaches to renewable siting, this report summarizes those efforts and what they mean for clean energy deployment. The picture that emerges is more balanced—and more encouraging—than the surge in restrictive siting bills that defined 2025 legislative agendas.

Like last year, most of the introduced bills attempted to make it harder to build clean energy through aggressive policies like statewide moratoriums, statewide standards as de facto bans, and strengthening local permitting authorities. These attempts largely failed, with most proposals never advancing out of committee and coordinated defensive campaigns successfully defeating those that did. What became law broke decisively for permissive policy in both red and blue states, though most of the legislation involved minor improvements to the status quo rather than comprehensive siting reform.

Looking ahead to 2027, the Siting Solutions Project expects siting to remain a contested issue as data center-driven demand increases the need for more generation and exacerbates rural communities' large-infrastructure development fatigue. Defensive campaigns in Texas and Iowa are expected as lawmakers continue efforts to restrict deployment, and permissive reforms are expected to be introduced in Pennsylvania, Virginia, and Indiana.

Key Findings

National Trends

- Most of the bills introduced across 40 states would have made it harder to build clean energy projects, but the share of permissive legislation increased this year relative to 2025.
- Proposed restrictive policies were concentrated in states with state-level siting regimes, southern states with Republican trifectas, and high renewable deployment states experiencing backlash to build out.
- Democrats introduced more siting bills than Republicans and tended to propose minor reforms to improve siting, while Republicans took bigger swings, more frequently introducing bills that would restrict deployment.
- Enacted law broke decisively for permissive policy in Republican and Democrat-controlled states alike; efforts by developers and clean energy advocates to prevent passage of restrictive bills were largely successful.

State-Specific Insights

- Virginia, Illinois, Oregon, and Washington passed bills making it easier to build new clean energy, seeking to address growing energy demand and affordability challenges.
- Utah enacted the only bill this session that will make it harder to build clean energy projects.
- Policymakers in New York, Missouri, Alabama, Oklahoma, and Arizona were the most active in attempting to restrict clean energy deployment, but with little success.

2027 Look Ahead

- Siting and permitting policy will remain a hot topic next year as debates around data centers and electricity costs dominate legislative agendas.
- Most state legislatures operate on a two-year cycle, meaning sessions will begin with a clean slate in 2027 as most bills do not carry over from 2026 to 2027. Expect to see familiar siting bills reintroduced, including restrictive bills returning in states where they failed to advance like Oklahoma, Alabama, and Arizona.
- Clean energy advocates in Iowa and Texas will be on the defensive, working to shore up the current permitting paradigms in these two high-deployment states.
- Permissive reforms are anticipated next year in Pennsylvania, Virginia, and Indiana.

National Trends

Almost all active state legislatures in 2026 debated siting bills, even during a short session year.

After two decades of low demand growth, electricity demand is rising rapidly, and consumer electricity prices are skyrocketing.¹ Clean energy projects are positioned well to meet growing demand affordably, yet wind, solar, and battery projects are increasingly caught in the political crossfire at all levels of government. At the state level, a wave of legislation introduced this year aims to block these projects entirely through moratoriums and bans, along with technology-specific permitting hurdles and development restrictions. But there is another option for states: reasonable siting policies, such as sensible setbacks, decommissioning rules, environmental considerations, and tangible community benefits, which can improve outcomes for all stakeholders by ensuring a more fair and effective development process.

Against this backdrop, renewable energy siting legislation continues to be a hotly contested topic in state houses across the country. The Siting Solutions Project tracked 201 siting bills introduced in 40 of the 46 active state legislatures during the abbreviated 2026 session. In even-numbered years, many state sessions are half the length of an odd-year session so that legislators can adjourn early to begin reelection campaigns. This report's analysis considers bills introduced through May 29, 2026, when 33 of the active 46 state legislatures had adjourned their sessions, with 13 states still in session. Four states—Montana, North Dakota, Nevada, and Texas—only hold legislative sessions in odd-number years. Nevertheless, this was an active year for renewable energy siting.

2026 Regular Session Activity by Siting Bills Introduced

0 bills

1-4 bills

5-9 bills

10+ bills

No regular session (even-year)

Number = siting bills introduced

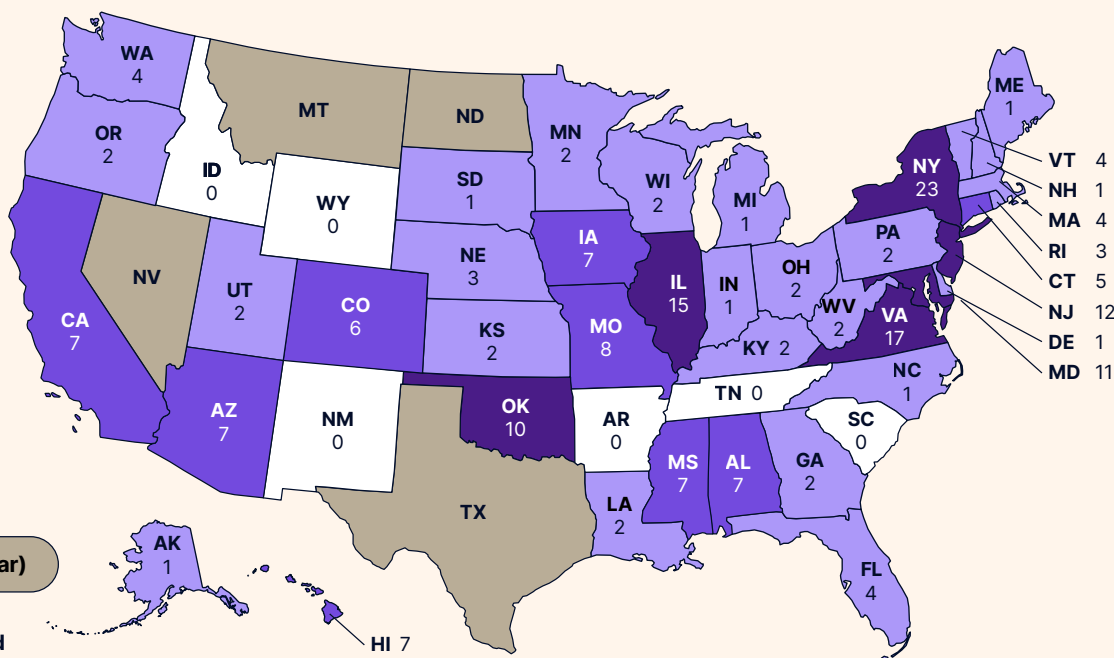


Figure 1: Siting Policy Activity by Bills Introduced

¹ Mark Schipper and Tyler Hodge, "After more than a decade of little change, U.S. electricity consumption is rising again," *Today in Energy*, U.S. Energy Information Administration, May 13, 2025, <https://www.eia.gov/todayinenergy/detail.php?id=65264>

Most bills would have made it harder to build clean energy, but this year, the share of permissive legislation increased.

Once again, most siting bills introduced sought to restrict clean energy deployment, but the distribution of restrictive and permissive bills is more balanced this year than in 2025. Based on our 2026 analysis, of the 201 bills tracked, 86 bills (43%) were restrictive and would have negatively impacted renewable deployment in their respective state. While still outnumbering the 73 bills (36%) that would have had a positive impact on deployment, it is an improvement from last year, in which 49% of introduced bills sought to restrict clean energy projects.² Lastly, we tracked 42 introduced bills (21%) that would have had a neutral impact on siting and permitting, as they primarily focused on small procedural changes or minor adjustments with little to no anticipated impact on clean energy deployment.

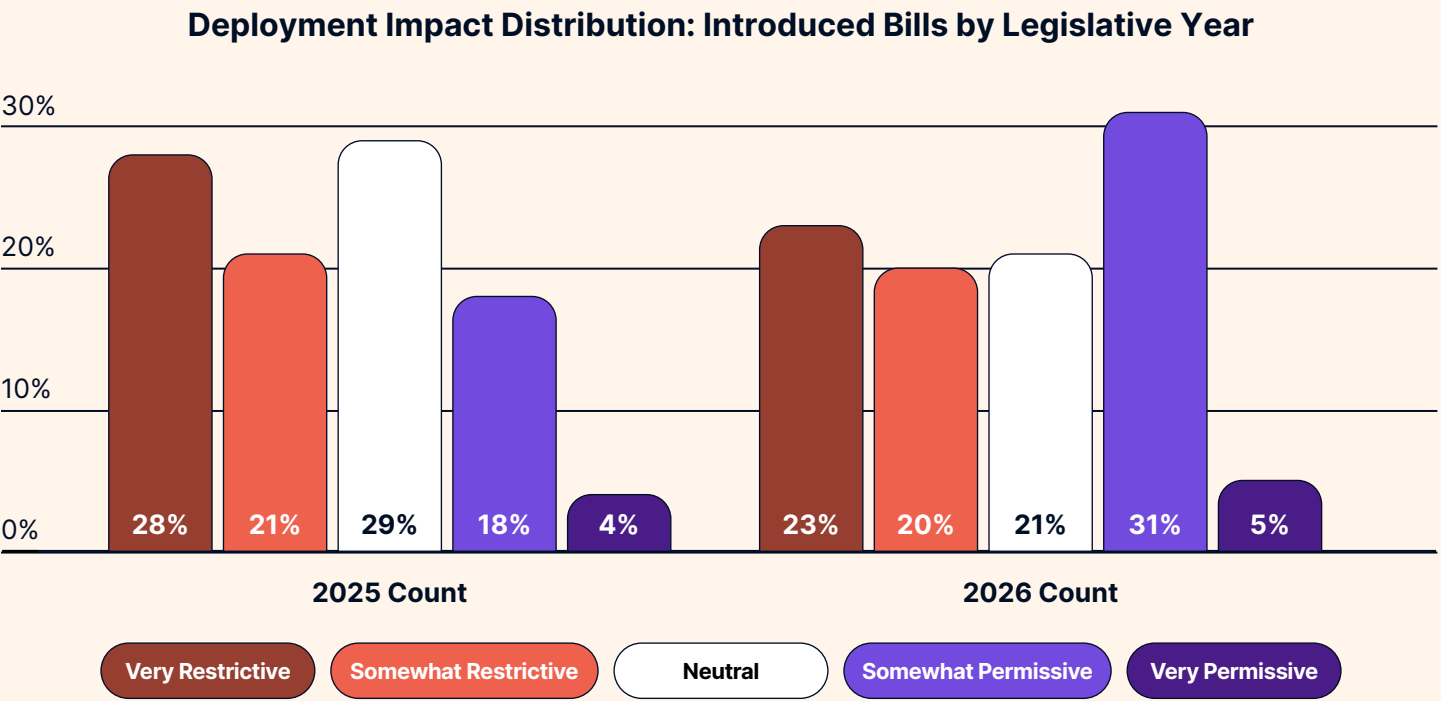


Figure 2 – Overall Deployment Impact Distribution of Introduced Bills

In 2026, proposed restrictive policies were concentrated in states with state-level siting regimes, southern states with Republican trifectas, and states with high renewable deployment experiencing backlash to buildout.

Like last year, efforts to undermine existing state-level siting regimes continued, specifically in New York, Illinois, Maryland, Vermont, and Wisconsin. Legislators introduced bills seeking to establish local zoning control over renewable energy facilities, repeal key provisions that grant state-level authority over permitting decisions, or establish permitting requirements that would effectively block renewable energy development.

Restrictive policies also gained momentum in southern states with Republican trifectas like Alabama, Mississippi, and Missouri. These states all rank in the bottom half of the U.S. for total installed solar

2 Alex Breckel and Nelson Falkenburg, "The State of Siting: 2025 Legislative Round-Up," *Clean Tomorrow Siting Solutions Project*, August 2025. https://sittingsolutions.com/wp-content/uploads/2025/08/clean_tomorrow_2025-legislative-round-up-report_.pdf

capacity, but development is starting to ramp up, with Missouri projected to add 4,377 MW over the next five years.³ In addition to the policies previously mentioned, these states took more aggressive approaches to restrict renewables by advancing statewide moratoriums on specific technologies, suggesting an attempt to prevent projected clean energy growth in their state.^{4, 5, 6, 7, 8, 9}

Many of the restrictive bills introduced were in states that have experienced high levels of renewable development over the last decade, including Oklahoma, Arizona, Florida, and Iowa, all of which rank in the top five for annual wind or solar generation.^{10, 11} These states all introduced restrictive statewide standards, including cost prohibitive decommissioning and financial assurance requirements, capping development in the name of farmland preservation or environmental conservation, and introducing provisions that expand local control over permitting, including by establishing local referendum processes.

Potential Deployment Impact of 2026 Introduced Bills

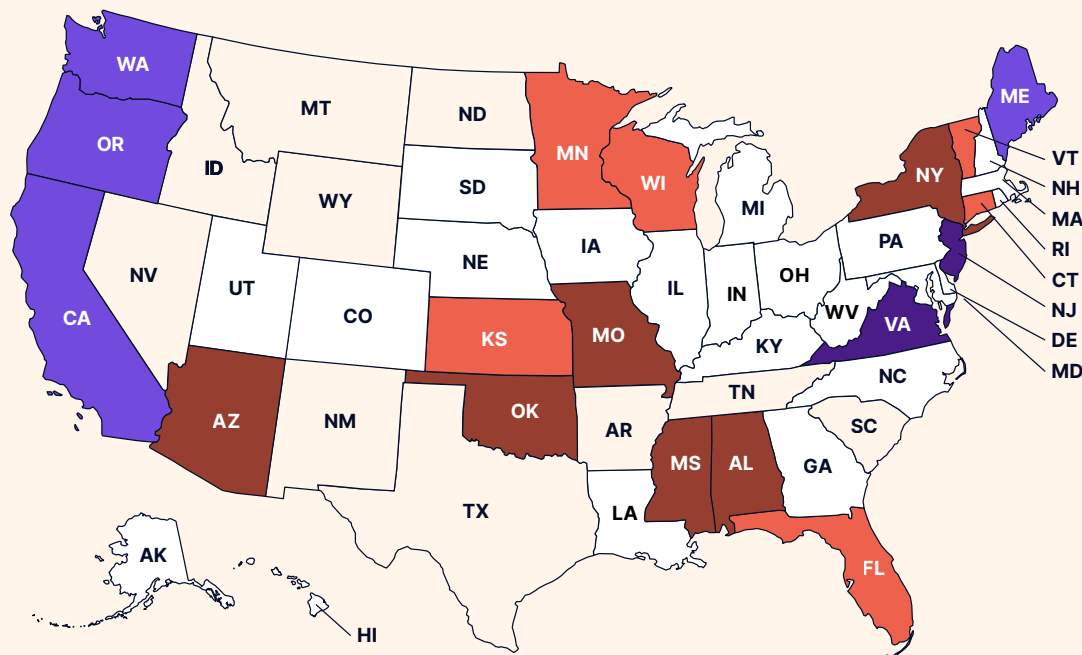


Figure 3 – Potential Deployment Impact of Introduced Bills^{12, 13}

- 3 Solar Energy Industries Association (SEIA), "Solar State by State," last modified June 5, 2026. <https://seia.org/solar-state-by-state/>
- 4 Mississippi Senate, *An Act to Create the Wind-Tower Agricultural and Environmental Impact Study Committee*, Senate Bill 2641, Mississippi Legislature, 2026 Regular Session (2026). <https://legiscan.com/MS/bill/SB2641/2026>
- 5 Missouri Senate, *An Act Placing a Moratorium on the Construction of Solar Projects*, Senate Bill 933, 103rd General Assembly, 2026 Regular Session (2026). <https://legiscan.com/MO/bill/SB933/2026>
- 6 Missouri Senate, *An Act Placing a Moratorium on the Construction of Solar Projects*, Senate Bill 849, 103rd General Assembly, 2026 Regular Session (2026). <https://legiscan.com/MO/bill/SB849/2026>
- 7 Alabama House of Representatives, *Solar Power Facilities; New Facilities Prohibited for One Year*, House Bill 617, Alabama Legislature, 2026 Regular Session (2026). <https://legiscan.com/AL/bill/HB617/2026>
- 8 Alabama Senate, *Solar Power Facilities; New Facilities Prohibited for One Year*, Senate Bill 354, Alabama Legislature, 2026 Regular Session (2026). <https://legiscan.com/AL/bill/SB354/2026>
- 9 Alabama Senate, *Solar Power Facilities; New Facilities Prohibited for One Year*, Senate Bill 372, Alabama Legislature, 2026 Regular Session (2026). <https://legiscan.com/AL/bill/SB372/2026>
- 10 U.S. Energy Information Administration (EIA), "Where Wind Power Is Harnessed," *Energy Explained*, accessed June 23, 2026. <https://www.eia.gov/energyexplained/wind/where-wind-power-is-harnessed.php>
- 11 SEIA, "Solar State by State."
- 12 Deployment Impact Methodology: each bill in the dataset was assigned a deployment-impact rating on the five-point scale based on the level it would expand or constrain renewable energy and storage siting. This rating was determined through a three step process—first, Stateside Associates, a state government affairs consulting agency that provides legislative tracking services to the Siting Solutions Project, assigned a rating, then, SSP's Siting Solutions Analyst reviewed their determinations and corrected any misinterpretations, lastly, the dataset was plugged into Claude Co-Work who was directed to flag any bills that may still be graded incorrectly, to which our analyst would correct when deemed necessary.
- 13 Deployment Impact Mapping Methodology: To assign a single deployment impact per state, each impact type was given a numeric weight applied symmetrically on both sides of the spectrum—Very Permissive (+2) and Very Restrictive (-2), Somewhat Permissive (+1) and Somewhat Restrictive (-1), and Neutral (0). A state's impact rating is the sum of these weights across all its impact-graded introduced bills

The most frequently introduced restrictive policy approaches were:

1. **Increased local zoning authority over renewable energy:** 33 bills (38% of all restrictive bills) proposed provisions establishing or restoring local government zoning in states where permitting authority is predominantly held at the state-level.
2. **Increased procedural burdens in the permitting process:** 23 bills (26%) would have created additional time-intensive and cost-prohibitive burdens in the permitting process, including exorbitant permitting fees, extensive environmental testing requirements, requiring third-party legal opinions on public nuisance determinations and demonstrated benefits, and more.
3. **Establishing statewide decommissioning standards and financial assurance:** 22 bills (25%) sought to establish cost-prohibitive decommissioning requirements such as mandated recycling with violation fees, upfront financial assurance at 100-125% decommissioning costs, and restrictions on acceptable forms of financial assurance.
4. **Expanded setback requirements:** 21 bills (23%) aimed to set increasingly restrictive distance requirements from property lines and specific land uses.
5. **Agricultural impact restrictions:** 15 bills (17%) would have restricted development of renewables on agricultural land by capping development at a certain percentage per county, creating burdensome fees and processes for developing on farmland, or other restrictions.
6. **Environmental impact restrictions:** 11 bills (14%) would have restricted development of renewables in specific wildlife corridors, broadly defined environmental preservation areas, and specific soil types through additional fees, review processes, land development caps, and outright bans.
7. **Bans and moratoriums:** 11 bills (13%) proposed outright bans on solar, wind, or battery storage development statewide or in specific geographic areas with ongoing development.

Democrats introduced more siting bills than Republicans but were less aggressive in their policy approach.

This year, Republicans introduced 4 restrictive bills for every 1 permissive bill, compared to a 9 to 1 ratio in 2025. This is likely attributed to the short session year and the fact that Texas, the most active state for siting policy in 2025, does not hold general sessions in odd years. Meanwhile, Democrats introduced 2.5 permissive bills for every 1 restrictive bill, a minor improvement over their ratio in 2025 (2 to 1).

Democrats were more active in siting policy this year, introducing 95 bills to Republicans' 89, and they were more successful in passing legislation, representing 62% of all enacted bills this year compared to Republicans' 24%. Not all permissive siting policy is created equal, however, and Democrats tended to introduce and advance bills that provide minor improvements to the status quo, rather than proposing changes that will substantially move the needle on clean energy deployment. According to our analysis, only 10 (19%) of their total introduced permissive bills attempted to make significant progress for siting, whereas 37 (61%) of the Republican-sponsored restrictive bills proposed significant barriers to siting. The disparity between the number of very permissive and very restrictive bills introduced could indicate political divisions and divisiveness are posing particular challenges to advancing comprehensive siting reform.

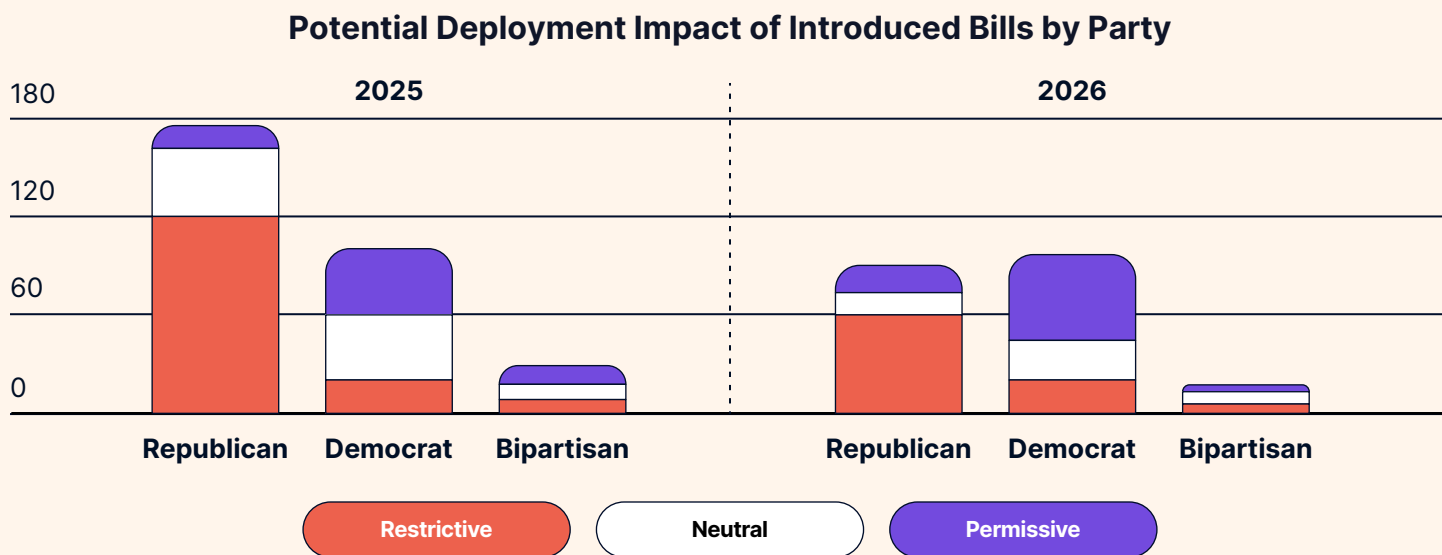


Figure 4 – Potential Deployment Impact of Introduced Bills by Party, 2025 and 2026 Sessions



Case Study: Major Permissive Reform Founders in Maine

An example of this difficulty can be demonstrated by one of the few attempts at major permissive reform this session: LD 2174 in Maine. LD 2174 would have established a state permitting framework for renewable energy and transmission infrastructure with limitations on local actions that could delay or block renewable siting.¹⁴ The bill failed in Maine's Environment and Natural Resources (ENR) Committee following a joint "Ought Not to Pass" vote. Opposition to the bill was motivated by the provisions that would amend local home rule authority, which sparked heated debate in the bill's public hearing and garnered attention from news media, opposition from municipal organizations and representatives, and Substack posts dedicated to its opposition.^{15, 16} Rep. Liz Caruso spoke out against the bill, urging communities to "treat LD 2174 as a home rule fight and engage before it reaches the floor," and in a webinar hosted by E2Tech Maine, the sponsor of the bill, Rep. Chris Kessler, cited strong opposition to altering home rule as the top issue voiced in the public hearing.^{17, 18} A couple months after this debate, Rep. Daniel Ankeles, who expressed he was "extremely uncomfortable" with the provisions of LD 2174 and filed the Ought Not to Pass motion, voiced support for the statewide datacenter moratorium bill that passed the legislature but was subsequently vetoed by Governor Janet Mills. This inconsistency on home rule suggests a broader priority of enabling the prohibition of any large infrastructure development through whatever means available.¹⁹

- 14 Maine House of Representatives, *An Act to Replace the Maine Waterway Development and Conservation Act with the Maine Renewable Energy and Associated Transmission Development and Conservation Act*, LD 2174, 132nd Maine Legislature, 2025–2026 Session (2026). <https://legiscan.com/ME/bill/LD2174/2025>
- 15 Tanya Blanchard, "LD 2174 - A Bill that Erodes Home Rule," *Landowners' Voice*, February 22, 2026. <https://landownersvoicemaine.substack.com/cp/188827807>
- 16 Rose Farm, "LD 2174: Intends to make local ordinances null and void," *Protect Maine Farmland*, February 24, 2026. <https://www.protectmainefarmland.org/p/ld-2174-intends-to-make-local-ordinances>. <https://www.protectmainefarmland.org/p/ld-2174-intends-to-make-local-ordinances>
- 17 Jon Fetherston, "LD 2174 Rewrite Sparks Home Rule Alarm as Caruso Warns Augusta Could Void Local Energy Ordinances," *The Maine Wire*, February 24, 2026. <https://www.themainewire.com/2026/02/ld-2174-rewrite-sparks-home-rule-alarm-as-caruso-warns-augusta-could-void-local-energy-ordinances/>
- 18 E2Tech Maine, "Energy Permitting in Maine," YouTube video, March 11, 2026. <https://www.youtube.com/watch?v=AbJgAmiaxyo>
- 19 Maine Legislature, "Committee on Energy, Utilities and Technology: Public Hearing," audio recording, March 4, 2026. <https://legislature.maine.gov/audio/#216?event=97058&startDate=2026-03-04T10:00:00-06:00>

The most frequently introduced permissive policy approaches were:

1. **Procedural streamlining:** 32 bills (36% of all proposed permissive policies) proposed streamlining the permitting process through initiatives such as expediting permitting timelines at the state and local levels, forming state agencies to assist in streamlining permitting, designating certain energy projects as by-right land uses under certain criteria, setting litigation deadlines, and more.
2. **Taxes and financial incentives:** 23 bills (30%) sought to drive deployment through financial incentives such as establishing enterprise zones with economic incentives like tax increment financing (TIF), creating state-led grant programs to support clean energy projects, establishing or expanding state financing mechanisms, providing tax reductions, or establishing capacity-based tax treatments.
3. **Agrivoltaics, brownfields, and other preferred locations:** 19 bills (26%) would have reduced barriers to building in preferred locations through designating clean energy facilities as a permitted use on brownfields, incentivizing agrivoltaics and brownfield development through grant programs and TIFs, or establishing regulatory frameworks for oil and gas well conversion for clean energy uses.
4. **Decommissioning and financial assurance:** 12 bills (15%) sought to establish state-wide decommissioning and financial assurance requirements that reflect industry standard practice, providing more certainty to developers.
5. **Statewide setbacks:** 10 bills (14%) would have prevented restrictive setbacks in local ordinances by establishing statewide setback requirements for various technologies that reflect industry standards.
6. **Environmental and agricultural restrictions:** 10 bills (14%) proposed streamlined permitting for certain renewable energy projects by expediting or exempting environmental permits or reducing restrictions for certain energy systems on preserved farmland.

Battery storage was the only technology with mostly permissive bills introduced, and tech-agnostic policies were few and far between.

At this point in the legislative year, when most states have concluded their regular sessions, the bills introduced regulating battery storage are mostly permissive. Of the 67 bills introduced, 35 were permissive and 10 had a neutral impact. This is a notable contrast to solar and wind's policy impact distribution and is likely attributed to states adopting regulations to a new technology rather than a reflection of greater support for BESS.²⁰ Most of the bills preempted local ordinances regulating energy storage safety standards, established NFPA 855 as the statewide standard, or streamlined permitting of co-located battery storage as an accessory use.²¹ It is possible that restrictive policies will gain prevalence as BESS development accelerates across the country.

20 American Clean Power Association (ACP), "New Report Finds Urgent Need to Expand Energy Supply to Meet Rapidly Growing Future Demand," press release, March 10, 2025. <https://cleanpower.org/news/us-national-power-demand-study/>

21 NFPA 855 is the National Fire Protection Association's fire protection safety standard for the installation of energy storage systems and lithium battery storage. The mandatory standard provides comprehensive criteria and guidance for the safe installation and operation of energy storage facilities.

Bills regulating wind, on the other hand, were disproportionately restrictive compared to other technologies, with provisions primarily focused on establishing stringent setbacks from residences and cost prohibitive decommissioning financial assurance requirements. This trend carried over from last year, as wind faced the highest individual scrutiny of the technologies in 2025. Anti-wind legislation was most concentrated in states with high levels of deployment like Oklahoma and Iowa, or states like Mississippi, that are just recently experiencing large-scale wind development for the first time.²² The politicization of wind at the federal level should also be acknowledged as a potential contributor to state-level backlash to wind energy. Solar produced the most proposed bills overall, with legislators focusing primarily on expanding or re-establishing local zoning authority over projects, further suggesting a localized backlash to development that is driving these proposed restrictions.

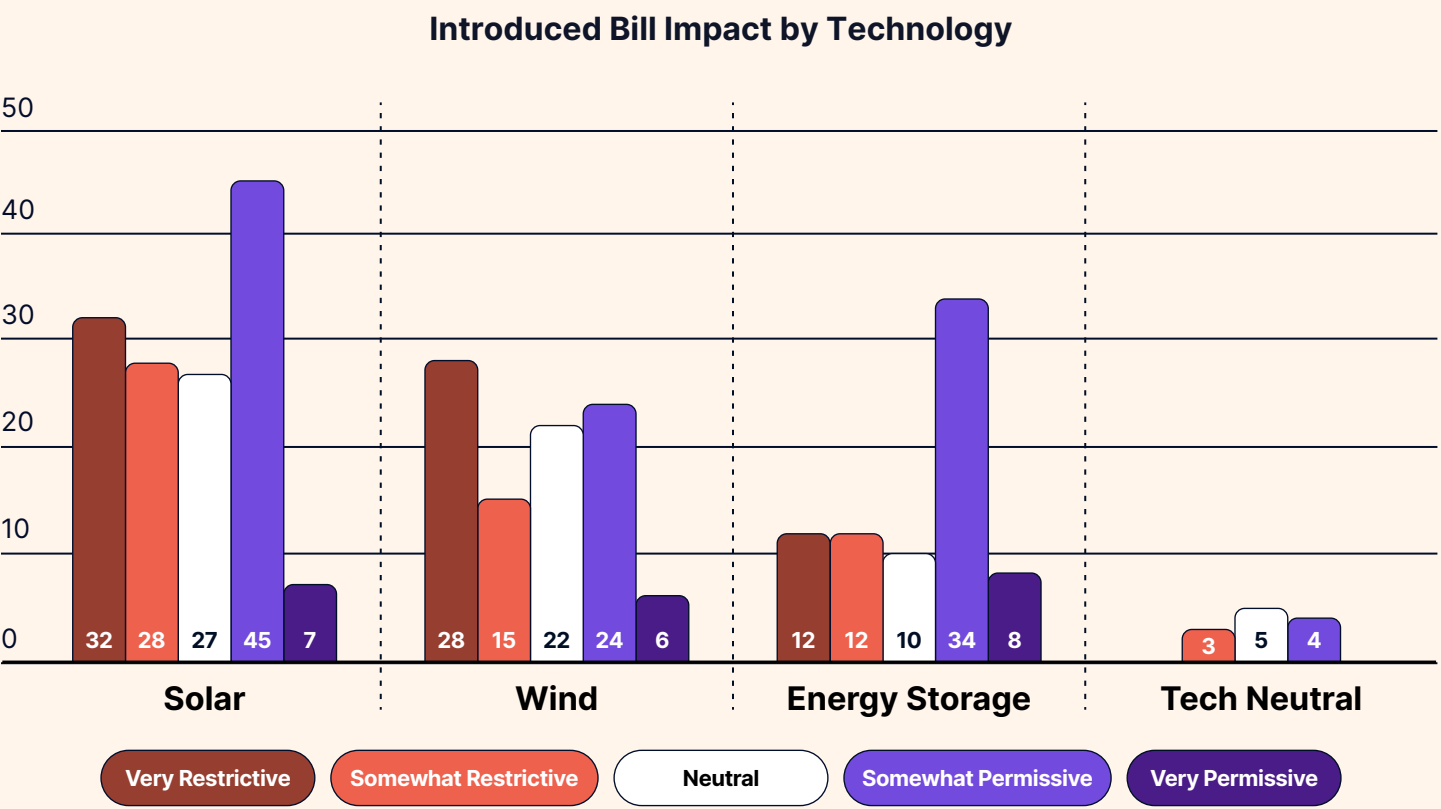


Figure 6 – Introduced Bill Impact by Technology

Last year, tech-agnostic policies proved to be a successful tactic for advancing reforms in red or politically divided states, but those bills were largely absent in 2026. Only 12 tech-neutral bills were introduced this year, and none of them have passed. In comparison, 17 tech-neutral bills were introduced in 2025, and 4 passed. This shift could be explained in part by the shorter sessions this year, as well as the hesitancy from environmental advocates to support reforms that also benefit fossil fuel burning technologies.

22 North American Clean Energy, "Mississippi's First Wind Farm Begins Operations," June 19, 2024. <https://www.nacleanenergy.com/wind/mississippi-s-first-wind-farm-begins-operations>

Enacted law broke decisively for permissive policy in Republican and Democrat-controlled states alike, thanks in large part to successful defensive efforts.

Pro-deployment bills were much more successful than the restrictive legislation proposed this year. The most restrictive bills introduced had a 0% success rate of passage and only 2% of all minor restrictions passed. The vast majority of the restrictive bills this session failed in committee or even before committee assignment, a sign that neither party has much of an appetite for advancing aggressive anti-clean energy bills to a floor vote, and that many of the most restrictive proposals possibly stem from individual legislators responding to constituent pressure over a specific local project.

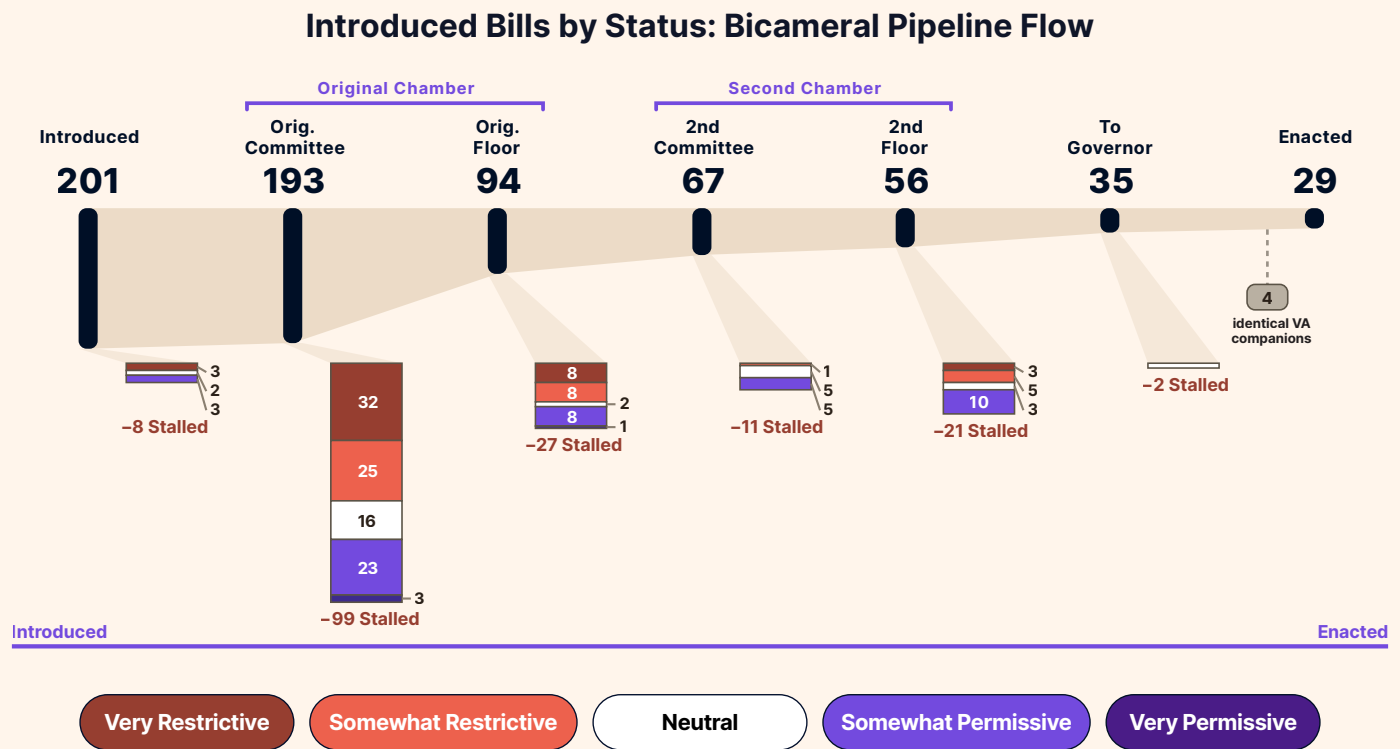


Figure 7: Introduced Bills by Status and Deployment Impact

While there were very few major permissive reforms introduced, they had the highest passage rate at 56%, and minor improvement bills passed at a rate of 18%. Almost all the bills enacted this year were permissive (16), or neutral (12), and the one restrictive bill that passed is not expected to create a significant barrier to siting. Enacted law also skewed permissively last year, but the margin was much narrower, with 10 permissive and 7 restrictive bills passed. Even the Republican-trifecta states that introduced the most restrictive bills this session only passed policy that was somewhat positive for clean energy deployment. For example, Mississippi passed legislation enabling more clean energy deployment through establishing standards for solar decommissioning, and Alabama also improved siting and permitting for clean energy by authorizing the conversion of oil and gas wells to clean energy facilities and the leasing of state lands for energy source development beyond oil and gas.^{23, 24}

23 Mississippi Senate, *An Act to Provide for Decommissioning of Solar Panels*, Senate Bill 2527, Mississippi Legislature, 2026 Regular Session (2026). <https://legiscan.com/MS/bill/SB2527/2026>

24 Alabama Senate, *Natural Resources; Conversion of Oil and Gas Wells into Alternative Energy Facilities Authorized; Lease of State Lands for Energy Sources by Commissioner of Conservation Expanded*, Senate Bill 174, Alabama Legislature, 2026 Regular Session (2026). <https://legiscan.com/AL/bill/SB174/2026>

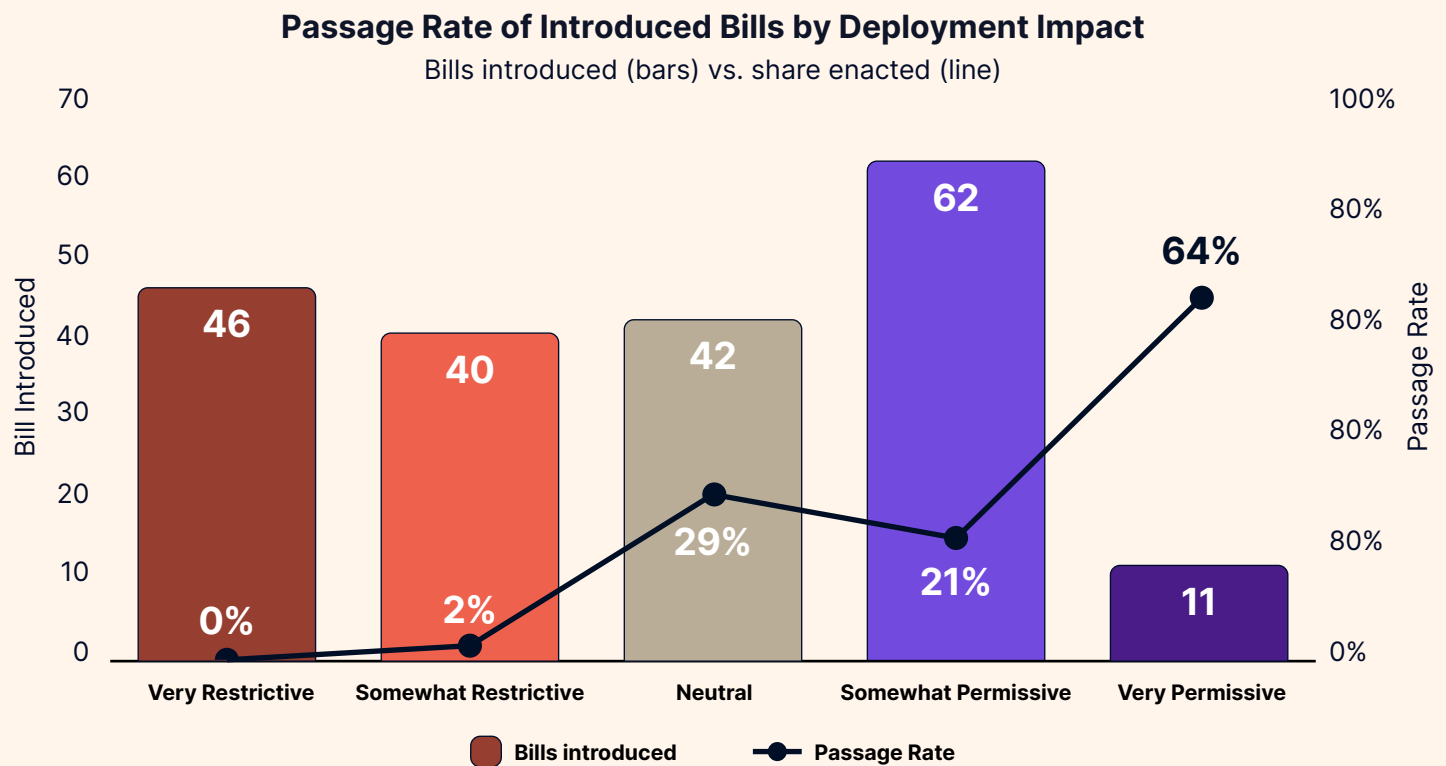


Figure 8: Passage Rate of Introduced Bills by Deployment Impact

When regressive bills did advance through their state legislatures, defensive campaigns to stop those efforts often proved successful. A bill in Alabama to adopt a one-year moratorium on solar, SB 354, passed in the Senate but did not advance to a vote in the House.²⁵ A successful defensive campaign led by legislators representing high-poverty districts in need of economic development stalled the bill, plus supported by a diverse coalition of opposition groups, including advanced manufacturers, Alabama Chambers of Commerce, the steel industry, and solar developers.²⁶

All the 18 states that passed legislation this session are trifecta governments, with the exception of Vermont. The one restrictive policy that passed was in Utah, a Republican-controlled state, while all permissive policies were passed in both Republican and Democrat trifecta states. This trend, observed in our 2025 Legislative Round-Up as well, reflects the continued difficulty of passing policies in a politically split state, exacerbated by the increased polarization of wind and solar generation over the years.²⁷

25 Anna Barrett, "One-Year Moratorium on Solar Farms Fails on Alabama Senate Procedural Rule," *Alabama Reflector*, April 8, 2026. <https://alabamareflector.com/2026/04/08/one-year-moratorium-on-solar-farms-fails-on-alabama-senate-procedural-rule/>.

26 Wesley Walter, "Bill to pause new solar developments advances to Alabama Senate for vote," *Alabama Political Reporter*, March 12, 2026, <https://www.alreporter.com/2026/03/12/bill-to-pause-new-solar-developments-advances-to-alabama-senate-for-vote/>.

27 Brian Kennedy and Emma Kikuchi, "Americans' Shifting Views on Energy Issues," *Pew Research Center*, April 3, 2026. <https://www.pewresearch.org/science/2026/04/03/americans-shifting-views-on-energy-issues/>.

Anticipated Deployment Impact of 2026 Enacted Bills

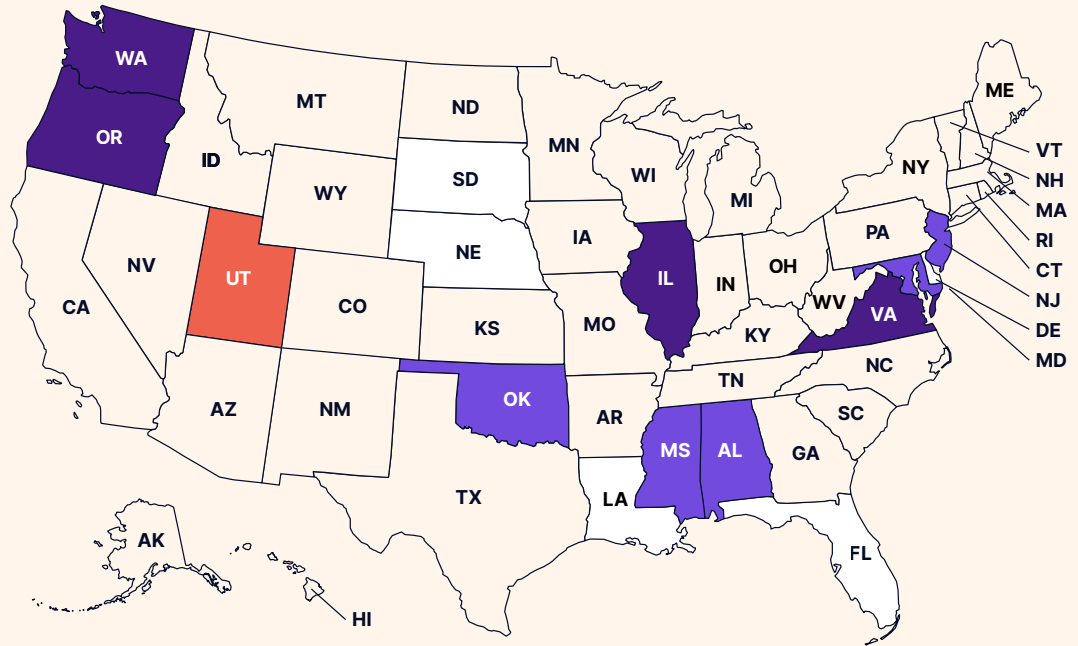


Figure 9 – Anticipated Deployment Impact of Enacted Bills²⁸

The most frequently enacted permissive policy approaches were:

1. **Statewide project standards:** 8 bills (50% of all permissive enacted bills) established state-wide standards that reflect industry standard practice, providing more certainty to developers. These include decommissioning and financial assurance, setbacks and height limits, and safety standards.
2. **Procedural streamlining:** 7 bills (44%) streamlined the permitting process by designating certain energy projects as by-right land uses or created faster permitting pathways for projects that meet specific land or interconnection criteria.
3. **Taxes and other financial policies:** 5 bills (31%) created financial incentives such as establishing enterprise zones with economic incentives like tax increment financing (TIF), created or expanded state-led grant and project financing programs to support clean energy projects, or established capacity-based tax treatments.
4. **Agrivoltaics, brownfields, and other preferred locations:** 3 bills (19%) reduced barriers to building in preferred locations by designating clean energy facilities as a permitted use on brownfields, incentivizing agrivoltaics and brownfield development through TIFs, or creating regulatory pathways for localities to require solar on new construction of certain land uses.

²⁸ **Deployment Impact Mapping Methodology:** To assign a single deployment impact per state, each impact type was given a numeric weight applied symmetrically on both sides of the spectrum—Very Permissive (+2) and Very Restrictive (-2), Somewhat Permissive (+1) and Somewhat Restrictive (-1), and Neutral (0). A state's impact rating is the sum of these weights across all its impact-graded enacted bills.

State Specific Insights

Virginia, Illinois, Oregon, and Washington delivered big wins for clean energy deployment.



Virginia: Solar and storage legislative package

Virginia produced the most permissive wins of any state this session, but clean energy siting is not solved, and additional reforms may be necessary in the state. Following a 2025 legislative session in which Governor Glenn Youngkin vetoed a number of clean energy measures, the 2026 legislative session—the first under Governor Abigail Spanberger, a Democrat—included a slate of solar and storage bills, some with bipartisan support.²⁹ The most significant siting policies include:



Statewide solar standards (SB 347): designates ground-mounted solar as a permitted-use in agricultural, commercial, industrial, and mixed-use districts as the default, and establishes uniform statewide criteria for local governments that choose to instead designate solar as a special land use.³⁰ The bill sets setback ranges, fencing requirements, height limits, decommissioning, and other design standards. Notably, the bill does not preempt local permitting decisions, only ordinance standards for SLU permits. Local governments can deny projects but must report and justify denials to the State Corporation Commission.



By-right co-located storage (HB 891): designates battery storage as a permitted accessory use at approved solar project sites across all zoning districts if the storage capacity does not exceed 100% of the solar project's nameplate.³¹ This eliminates the separate local approval commonly required for permitting co-located BESS, streamlining the process.

Virginia also prevented attempts to repeal the state's renewable portfolio standard, its public interest declarations for renewables and storage, and its offshore wind mandates through SB 69 and SB 752.^{32, 33} Sponsored largely by Democrats VanValkenburg, Herring, and Sullivan, the 2026 package marks a decisive shift in Virginia's posture toward clean energy siting. While these bills are a step in the right direction, advocates believe the solar siting bill should have gone further to prevent arbitrary project denials. We anticipate minor reforms in 2027 will build on these wins and we expect to see more comprehensive reforms introduced in 2028. See page 23 for an analysis of what additional work needs to be done in Virginia.

29 Charles Paullin, "Youngkin Vetoes Clean Energy Bills Supported by Dominion, Environmental Groups," *Virginia Mercury*, May 14, 2025. <https://virginiamercury.com/2025/05/14/youngkin-vetoes-clean-energy-bills-supported-by-dominion-environmental-groups/>

30 Virginia Senate, *Local Regulation of Solar Facilities; Special Exceptions*, Senate Bill 347, Virginia General Assembly, 2026 Regular Session, Chapter 1005 (2026). <https://legiscan.com/VA/bill/SB347/2026>

31 Virginia House of Delegates, *Siting of Battery Energy Storage Projects; Commercial Solar Photovoltaic Generation Facilities*, House Bill 891, Virginia General Assembly, 2026 Regular Session, Chapter 1076 (2026). <https://legiscan.com/VA/bill/HB891/2026>

32 Virginia Senate, *Electric Utilities; Construction and Development of Renewable Energy Facilities*, Senate Bill 69, Virginia General Assembly, 2026 Regular Session (2026). <https://legiscan.com/VA/bill/SB69/2026>

33 Virginia Senate, *Electric Utilities; Construction and Development of Renewable Energy Facilities*, Senate Bill 752, Virginia General Assembly, 2026 Regular Session (2026). <https://legiscan.com/VA/bill/SB752/2026>



Illinois: Omnibus bill cements local standards for BESS

After being one of the most contested siting battlegrounds, Illinois seemingly settled the question of siting with PA 102-1123 in 2023, establishing uniform statewide standards for local ordinances regulating large, utility-scale wind and solar.³⁴ The law barred outright bans and moratoria, and imposed decision timelines on local permitting authorities. Since then, the state has shifted its focus to refining the existing framework, which is what SB 25, the Clean and Reliable Grid Affordability Act (CRGA) has accomplished.³⁵ The bill was passed during the October 2025 veto session, after our 2025 Legislative Round-Up was published, so we have decided to include it in this year's Round-Up.³⁶

Three years of implementation exposed real gaps in the 2023 standards law: it set the parameters for local ordinances and processes but gave little in terms of enforcement, omitted standards for battery energy storage projects, and included loopholes that local governments quickly exploited to block clean energy projects.³⁷

SB 25 largely closes these gaps through the following provisions:



State-level appeals board: creates an Illinois Commerce Commission Siting Appeals Board and an expedited statewide process to resolve siting-approval and road-use agreement disputes.



Road-use agreement guardrails: limits any fees or fines in a road-use agreement to a local government's actual costs of negotiating, administering, and constructing necessary road work, removing a tool that was used to delay projects or extract concessions.



Solar Bill of Rights: adds protections in the Counties and Municipal Codes that further limits the ability of local governments to block compliant solar projects through restrictive ordinances.



Extends framework to BESS: brings battery energy storage facilities into the same siting process and property tax framework as wind and solar.

SB 25 passed the Senate with a 37-22 vote and the House 70-37 before being signed into law on January 8, 2026.³⁸ Following this win, the 2026 Illinois state session saw many restrictive proposals seeking to claw back the provisions of SB 25 and the 2023 standards, most notably in HB 4873 and HB 5043, both of which failed to advance.^{39, 40} Illinois ends the legislative session with one of the most deployment-friendly siting regimes in the country.

34 Public Act 102-1123 (Ill. 2023) (HB 4412) established statewide standards for commercial wind and solar siting, barred local bans and moratoria, capped local setback/sound/decommissioning rules, and set decision timelines (a hearing within 45 days of application and a final decision within 30 days of the last hearing). ISACO, "County Wind and Solar Zoning Restrictions (PA 102-1123)." <https://www.isacoil.org/wind-and-solar-facility-law/>

35 Illinois General Assembly, *Municipal and Cooperative Electric Utility Integrated Resource Planning Act*, Public Act 104-0458 (Clean and Reliable Grid Affordability Act), 104th General Assembly (2025). <https://ilga.gov/documents/legislation/PublicActs/104/104-0458.htm>

36 Nelson Falkenburg, "Behind the CRGA Act: Illinois' Push for Improved Renewable Energy Siting," *Siting Solutions Project*, January 12, 2026. <https://sittingsolutions.com/news/illinois-push-for-improved-renewable-energy-siting/>

37 Houtan Moaveni, "Gap Analysis of Permitting Reforms in California, Illinois, New York, and Washington," *Grid Strategies LLC*, April 1, 2026. https://gridstrategiesllc.com/wp-content/uploads/GS_Gap-Analysis-Permitting-Reforms-Report.pdf

38 Maggie Dougherty, "Pritzker Signs Major Energy Reform Bill Amid Projected Shortages," *Capitol News Illinois*, January 8, 2026. <https://capitolnewsillinois.com/news/pritzker-signs-major-energy-reform-bill-amid-projected-shortages/>

39 Illinois House of Representatives, *Counties—Wind and Solar Energy*, House Bill 4873, 104th Illinois General Assembly, 2025–2026 Session (2026). <https://legiscan.com/IL/bill/HB4873/2025>

40 Illinois House of Representatives, *Municipal Code—Solar Energy System*, House Bill 5043, 104th Illinois General Assembly, 2025–2026 Session (2026). <https://legiscan.com/IL/bill/HB5043/2025>



Oregon: Significant improvements to streamline permitting

As we mentioned in last year's round-up, the Oregon Energy Facility Siting Council (EFSC) has an extremely slow permitting process. A recent study on outcomes and timelines for state-based energy facility permitting revealed that Oregon has a substantially longer median permitting timeline from submission to completion than every state other than New York, and ranked as the longest median timeline from Notice of Intent (NOI) to submission.⁴¹ This session, the state legislature found two novel ways for renewables to bypass the process.

Legislators in Oregon were especially motivated to streamline permitting due to the impending expiration of federal tax-credits under the One Big Beautiful Bill Act; the legislature moved to qualify projects before those incentives lapsed through the passage of HB 4031.^{42, 43} The law temporarily exempts qualifying solar, wind, geothermal, and marine projects from the EFSC site certificate process and instead routes them through local land use approvals. To qualify, a project must be eligible for federal renewable energy tax credits, file a land use application by December 31, 2028, and be operational by December 31, 2030. By removing one of the state's permitting speedbumps, the bill eases timing challenges for renewable projects. The bill went into effect on June 5th, but developers were already withdrawing their projects from EFSC's process as early as March 19th to prepare to take this streamlined pathway.⁴⁴ While this is a short-term win for developers, there are larger problems with the EFSC permitting process that need to be addressed to create a durable clean energy siting landscape in the state.

Second, legislators passed HB 4076, a bill directing the EFSC to consider the standards for land use goal exceptions satisfied if a project uses an existing facility's surplus interconnection capacity and does not require extra transmission lines.⁴⁵ While this will reduce both permitting and transmission barriers to siting renewables, its reach is limited to projects that can tap into existing interconnection points. This could still have a meaningful impact on clean energy deployment in the state, however. According to the "Scarcity to Surplus" interconnection tool created by GridLab, Oregon has 6,300 megawatts of solar integration potential, 1,939 megawatts of wind integration potential, and 27,661 megawatt-hours of energy storage integration potential.⁴⁶

Together, these bills represent a pragmatic, deployment-first response to the rising demand for energy and a closing federal incentive window by addressing one of Oregon's biggest permitting slowdowns.



Washington: Host community benefits as a siting strategy

In Washington, the Energy Facilities Site Evaluation Council has exclusive siting authority over certain energy projects, but like many state-level permitting structures, the process is often slow and resource-intensive.⁴⁷ With local opposition to development increasing, state legislators advanced reforms through HB 1960 to improve uptake of local approvals and deliver consistent local revenues for renewable projects.⁴⁸

41 Robi Nilson, Lena Tao, Will Maddock, Jonathan Katz, Nicholas Baillargeon, and Ben Hoen, "Outcomes and Timelines for State-Based Energy Facility Permitting in the United States," *Frontiers in Sustainable Energy Policy* 5 (2026). <https://doi.org/10.3389/fsuep.2026.1715811>

42 Carr, Riggs & Ingram (CRI), "Energy Credits Are Being Phased Out: What You Need to Know," *CRI Insights*, 2026. <https://www.criadv.com/insight/energy-tax-credits-after-obbbba/>

43 Oregon Legislative Assembly, *An Act Relating to the Siting of Renewable Energy Facilities*, House Bill 4031, 83rd Oregon Legislative Assembly, 2026 Regular Session (2026). <https://olis.oregonlegislature.gov/liz/2026R1/Downloads/MeasureDocument/HB4031/Enrolled>

44 Greg Mason, "Oregon Solar Project to Use New Law to Bypass State Siting Review," *NewsData*, March 27, 2026. https://www.newsdata.com/clearing_up/courts_and_commissions/oregon-solar-project-to-use-new-law-to-bypass-state-siting-review/article_426629a2-0843-4e44-ac9d-3e1091161159.html

45 Oregon House of Representatives, *Relating to Energy; and Prescribing an Effective Date*, House Bill 4076, Oregon Legislative Assembly, 2026 Regular Session, Chapter 46 (2026). <https://legiscan.com/OR/bill/HB4076/2026>

46 Umed Paliwal, "Surplus Interconnection Dashboard," *Scarcity to Surplus*, 2025. <https://scarcitytosurplus.com/re/dashboard>

47 Moaveni, "Gap Analysis of Permitting Reforms in California, Illinois, New York, and Washington."

48 Washington State Legislature, *An Act Encouraging Renewable Energy in Washington Through Tax Policy and Investment in Local Communities*, House Bill 1960, 68th Washington State Legislature, 2026 Regular Session (2026). <https://app.leg.wa.gov/billssummary?BillNumber=1960&Year=2025&Initiative=false>

To encourage local permitting, the bill establishes a new excise tax treatment paired with a community investment matching grant program. The excise tax would provide \$2,905 per MW annually to local governments for the lifetime of a solar project, \$3,600 per MW for wind projects, and \$467 per MWh for battery storage projects. This tax structure provides communities with more consistent revenue over the course of a project, allowing them to make better use of the revenue through recurring services and programs, and benefits developers as well by providing cost certainty for project financing. The law also directs the Department of Commerce to provide matching grants to localities that host qualifying wind, solar, or storage projects built after January 1, 2026, where the local government has permitted the project through an ordinance no more restrictive than the statewide model, and where a developer has entered into a “local investment commitment” with the county or city. Pairing revenue benefits for host communities with a check on restrictive local ordinances offers a model for states seeking to improve siting outcomes without resorting to complete preemption of local authority. A comparable approach exists in Michigan with the Renewables Ready Communities Award.⁴⁹

Utah was the only state to pass restrictive legislation in 2026



Utah: The Only Restrictive Bill Could Have Been Worse

However, the final law is a watered-down version of what its sponsor, Rep. Colin Jack, originally proposed, and represents his second attempt at passing restrictive solar permitting legislation. Both bills (HB 241 in 2025 and HB 16 in 2026) set statewide standards with large setbacks, strict noise caps, multi-mile spacing between projects, and outright bans on siting on productive farmland, grazing land, and forest lands.^{50, 51} In both sessions, the bills were substituted before advancing, stripping the design standards and land use prohibitions and replacing them with a narrow tax incentive and process-focused framework. In 2025, HB 241 passed the House 54-12 but died in the Senate; the same scaled back version of HB 16 passed both chambers this session and was signed into law by Governor Cox, effective May 6, 2026. The law includes:



Removal of state incentives for solar on agricultural land: solar plants over 1 MW permitted after May 6, 2026 are ineligible for state clean-energy, high-cost infrastructure, and alternative-energy tax credits if sited on Natural Resource Conservation Service (NRCS)-designated prime farmland, irrigated cropland, or high-productivity grazing land, with partial eligibility given for mid-productivity land. While nearly 20% of Utah’s land considered farmland, NRCS-designated prime farmland and irrigated cropland make up a smaller portion.^{52, 53}



Decommissioning plan and site plan review: the law requires a decommissioning plan with upfront financial assurance at full estimated cost, removal of foundations and cabling up to four feet in depth, and the submission of site and development plans, subject to agricultural protection review.

49 Michigan Department of Environment, Great Lakes, and Energy (EGLE), “EGLE Announces \$3.87 Million in Awards Supporting Communities Hosting Renewable Energy Projects,” press release, February 5, 2026. <https://www.michigan.gov/egle/newsroom/press-releases/2026/02/05/egle-announces-3-million>

50 Utah State Legislature, *Solar Power Plant Amendments*, House Bill 241, 2025 General Session (2025). <https://le.utah.gov/Session/2025/bills/introduced/HB0241.pdf>.

51 Utah State Legislature, *Solar Power Plant Amendments*, House Bill 16, 2026 General Session (2026). <https://le.utah.gov/Session/2026/bills/introduced/HB0016.pdf>.

52 Utah Department of Workforce Services, Workforce Research and Analysis. *County Agricultural Profiles*. Utah Department of Workforce Services, 2024. <https://jobs.utah.gov/wi/data/library/other/agprofile.html>.

53 USDA-NASS Utah, *About Us* page. https://www.nass.usda.gov/Statistics_by_State/Utah/About_Us/index.php

The practical impact of this law is limited, but it still represents a step backward for renewable energy deployment in Utah. In addition to HB 16, Rep. Colin Jack also attempted to impose cost-prohibitive regulations for solar panel recycling through HB 323, but what eventually passed the legislature was a toned-down study for a disposal program that includes Toxicity Characteristic Leaching Procedure and disposal site registration requirements.⁵⁴ The negotiations to remove restrictive setbacks from HB 16, and to instead eliminate incentives (which were already scheduled to phase out in 2028), as well as the removal of restrictive solar recycling provisions from HB 323, further demonstrates the lack of support for passing extremely restrictive legislation, as well as the efficacy of clean energy advocates in the state.

Policymakers in Missouri, Alabama, Oklahoma, Arizona, and New York were the most active in attempting to restrict clean energy deployment but to no success.



Missouri: The country's most anti-solar bills fail to reach a floor vote

Missouri, a Republican trifecta, introduced some of the country's most aggressive anti-solar legislation, but again, none of the bills passed. The session's bills included:



Outright moratoriums: SB 849 and the identical SB 933 would have imposed an immediate statewide moratorium on all solar construction, including halting projects already underway, with an emergency clause and open-ended extension if state environmental rules were not written by the end of 2027.^{55, 56} SB 849, sponsored by Senate President pro tempore Cindy O'Laughlin and publicly endorsed by Governor Kehoe, reached the perfection stage of Missouri's legislative process,⁵⁷ but was never called up for a floor vote, dying at the session's adjournment. The failure of a pro tempore-sponsored, governor-backed bill speaks to the opposition it drew and how thin the appetite is for extreme anti-renewables policy. In the committee's public hearing, landowners spoke to the importance of property rights and their freedom to "lease land for its most profitable use," while solar developers warned it would push investment to neighboring states, choking off a growing source of rural income, and other advocates argued the state should regulate—not ban—solar, suggesting decommissioning and siting standards rather than moratoria.⁵⁸



Land-use constraints: companion bills SB 879 and HB 2478, along with HB 2402, stacked up barriers to development including: extreme setbacks, cropland acreage caps, 125% upfront financial assurance for decommissioning, and county commission veto power before any state certificate could be issued.^{59, 60, 61} The cumulative impact would have made utility-scale development nearly impossible, effectively acting as an outright moratorium. All three bills died in committee.

54 Utah House of Representatives, *Solar Panel Disposal Amendments*, House Bill 323, Utah State Legislature, 2026 General Session (2026). <https://legiscan.com/UT/bill/HB0323/2026>

55 Missouri Senate, *An Act Placing a Moratorium on the Construction of Solar Projects*, Senate Bill 849, 103rd General Assembly, 2026 Regular Session (2026). <https://legiscan.com/MO/bill/SB849/2026>

56 Missouri Senate, *An Act Placing a Moratorium on the Construction of Solar Projects*, Senate Bill 933, 103rd General Assembly, 2026 Regular Session (2026). <https://legiscan.com/MO/bill/SB933/2026>

57 Jeffrey Tomich, "Missouri Governor Supports Solar Moratorium Bill," *E&E News* by POLITICO, January 15, 2026. <https://www.eenews.net/articles/missouri-governor-supports-solar-moratorium-bill/>

58 Rudi Keller, "Missouri Senate Considers Bills to Halt Solar Development on Farmland," *Missouri Independent*, February 4, 2026. <https://missouriindependent.com/2026/02/04/missouri-senate-considers-bills-to-halt-solar-development-on-farmland/>

59 Missouri Senate, *An Act Modifying and Creating New Provisions Relating to Electric Utilities*, Senate Bill 879, 103rd General Assembly, 2026 Regular Session (2026). <https://legiscan.com/MO/bill/SB879/2026>

60 Missouri House of Representatives, *An Act Modifying Provisions Relating to Utilities*, House Bill 2478, 103rd General Assembly, 2026 Regular Session (2026). <https://legiscan.com/MO/bill/HB2478/2026>

61 Missouri House of Representatives, *An Act Modifying and Creating New Provisions Relating to Electric Utilities*, House Bill 2402, 103rd General Assembly, 2026 Regular Session (2026). <https://legiscan.com/MO/bill/HB2402/2026>



Alabama: Solar moratorium clears Senate but dies in the House

Alabama came closer than any other state to enacting an outright ban. Three nearly identical bills—SB 354, HB 617, and SB 372—would have imposed a one-year statewide moratorium on solar development except for projects proposed in areas under the Tennessee Valley Authority.^{62, 63, 64} SB 354 passed the Senate 27-4 with an amendment that narrowed the application to only the Gulf Coast counties, but the bill failed to transfer to the House with unanimous consent, a procedural requirement for Senate bills passed after the 26th legislative day. The other bills stalled in committee or didn't advance past their second reading.

As a Dillon Rule state, Alabama legislators also attempted to grant local zoning authority over renewable energy siting to the Gulf Coast counties with SB 358 and HB 618, enabling carte blanche exclusions and setting a bad precedent for future legislation covering additional counties.^{65, 66} SB 358 was indefinitely postponed after being reported out of its committee, and HB 618 stalled in the House after its second reading.

Notably, four of the restrictive bills were introduced by legislators representing Baldwin County—Sen. Greg Albritton and Rep. Matt Simpson—suggesting a coordinated response to solar development in the area, specifically the Stockton Solar Project being developed by Silicon Ranch.⁶⁷ In December of last year, the Alabama Public Service Commission voted to approve a plan for the construction of a solar project meant to power a Meta data center in Montgomery.⁶⁸ When the town of Stockton hosted a town hall on the solar project, more than 300 people attended to voice their opposition.⁶⁹ Success in blocking the advancement of these bills can be attributed to a coalition that included advanced manufacturers, Alabama Chambers of Commerce, the steel industry, solar developers, and legislators representing high-poverty districts in need of economic development.^{70, 71}

While both Sen. Albritton and Rep. Simpson lost their reelection bids and will not be returning to the legislature, several localities in Alabama are considering zoning changes and anti-renewables sentiment is growing in the state alongside opposition to data centers.⁷²

62 Alabama Senate, *Solar Power Facilities; New Facilities Prohibited for One Year*, Senate Bill 354, Alabama Legislature, 2026 Regular Session (2026). <https://legiscan.com/AL/bill/SB354/2026>

63 Alabama House of Representatives, *Solar Power Facilities; New Facilities Prohibited for One Year*, House Bill 617, Alabama Legislature, 2026 Regular Session (2026). <https://legiscan.com/AL/bill/HB617/2026>

64 Alabama Senate, *Solar Power Facilities; New Facilities Prohibited for One Year*, Senate Bill 372, Alabama Legislature, 2026 Regular Session (2026). <https://legiscan.com/AL/bill/SB372/2026>

65 Alabama Senate, *Solar Farms; Certain County Commissions Authorized to Establish Zoning Requirements*, Senate Bill 358, Alabama Legislature, 2026 Regular Session (2026). <https://legiscan.com/AL/bill/SB358/2026>

66 Alabama House of Representatives, *Solar Farms; Certain County Commissions Authorized to Establish Zoning Requirements, Penalties for Violations and Appeal Process Provided*, House Bill 618, Alabama Legislature, 2026 Regular Session (2026). <https://legiscan.com/AL/bill/HB618/2026>

67 Anna Barrett, "One-Year Moratorium on Solar Farms Fails on Alabama Senate Procedural Rule," *Alabama Reflector*, April 8, 2026. <https://alabamareflector.com/2026/04/08/one-year-moratorium-on-solar-farms-fails-on-alabama-senate-procedural-rule/>

68 Patrick Darrington, "South Alabama Community Members Oppose Solar Panel Project for Montgomery Data Center," *AL.com*, February 10, 2026. <https://www.al.com/news/2026/02/south-alabama-community-members-oppose-solar-panel-project-for-montgomery-data-center.html>

69 "Alabama Town Explodes Over Proposed Solar Farm: 'One-Two Punch,'" *AL.com*, February 2026. <https://www.al.com/news/mobile/2026/02/alabama-town-explodes-over-proposed-solar-farm-one-two-punch.html>

70 Mary Claire Wooten, "Coastal Alabama solar project sparks debate over regulation, local control," *Alabama Political Reporter*, March 18, 2026. <https://www.alreporter.com/2026/03/18/coastal-alabama-solar-project-sparks-debate-over-regulation-local-control/>

71 Wesley Walter, "Bill to pause new solar developments advances to Alabama Senate for vote," *Alabama Political Reporter*, March 12, 2026. <https://www.alreporter.com/2026/03/12/bill-to-pause-new-solar-developments-advances-to-alabama-senate-for-vote/>

72 David Chen, "G.O.P. Stokes Opposition to Solar Power in Fight Against Data Centers," *The New York Times*, June 15, 2026. <https://www.nytimes.com/2026/06/15/us/elections/alabama-election-data-centers-solar-power.html>



Oklahoma: Hotbed for anti-renewables legislation

Oklahoma maintained last year's anti-renewable momentum, tying with Alabama for the third-most regressive policies introduced this session. Almost all these bills failed, and the one policy that passed, SB 237, received a pocket veto from Governor Kevin Stitt. By not acting on the bill passed by the legislature, Governor Stitt effectively killed the bill by the end of the legislative session—a “pocket veto”—without allowing for the opportunity to override a veto. The offensive front secured a minor win with HB 3464, but the larger bill that industry and advocates were hoping for failed to pass after much back and forth between the chambers. Here's a breakdown of Oklahoma's session:



County-level restrictions and referendum bills failed: bills attempting to limit renewable development through an expansion of local control and stricter statewide standards died in committee, including HB 2972, a bill granting counties authority to develop and enforce restrictive commercial wind and solar ordinances, HB 3723 which required county-commissioner approval before permitting, and SB 2183 which amended the Wind Energy Development Act with extreme setbacks and noise limits.^{73, 74, 75}



Pocket veto maintains property tax exemptions: SB 237, which would have removed solar and battery storage's eligibility for the five-year ad valorem manufacturing tax exemption, passed the state legislature, but Governor Stitt pocket vetoed the bill, preserving the incentive for developers.⁷⁶ Governor Stitt has been a bulwark against restrictive legislation, but with his term coming to an end in January 2027, Chair of the House Utilities Committee, Rep. Mike Dobrinski, who sponsored SB 237, has expressed his intention to pass similar legislation next session when there's a new governor in Oklahoma City.⁷⁷



Expanded 2025 decommissioning standards: HB 3464 is the session's only enacted siting law and represents a modest win for renewable deployment. The bill created the Oklahoma Energy Storage Resource Safety Act and the Oklahoma Solar Energy Development Act.⁷⁸ Building on the 2025, Commercial Solar Facility Decommissioning Act (HB 1373 of 2025), which established solar decommissioning standards, HB 3464 extends the decommissioning standards to apply to battery storage projects.⁷⁹ The bill also sets NFPA 855 as the statewide fire-safety standard for battery storage projects and preempts local governments from imposing stricter standards. The bill also includes solar decommissioning financial assurance requirements that could create additional cost burdens, but the overall certainty provided through limiting local discretion over these standards will improve industry outlook in the state.

- 73 Oklahoma House of Representatives, *Wind and Solar Energy; Authorizing Board of County Commissioners of Each County to Adopt Certain Ordinances*, House Bill 2972, Oklahoma Legislature, 2026 Regular Session (2026). <https://legiscan.com/OK/bill/HB2972/2026>
- 74 Oklahoma House of Representatives, *Green Energy Projects; Requiring Vote of Board of County Commissioners Before Certain Projects Can Proceed*, House Bill 3723, Oklahoma Legislature, 2026 Regular Session (2026). <https://legiscan.com/OK/bill/HB3723/2026>
- 75 Oklahoma Senate, *Wind Energy; Modifying Provisions of the Oklahoma Wind Energy Development Act*, Senate Bill 2183, Oklahoma Legislature, 2026 Regular Session (2026). <https://legiscan.com/OK/bill/SB2183/2026>
- 76 Oklahoma Senate, *Ad Valorem Tax; Exemption for Manufacturing Facilities; Defining Battery Energy Storage System; Exemption; Applications*, Senate Bill 237, Oklahoma Legislature, 2026 Regular Session (2026). <https://legiscan.com/OK/bill/SB237/2026>
- 77 Oklahoma House of Representatives, "Dobrinski Comments on Pocket Veto of Bill Prohibiting Solar, Battery Tax Exemptions," press release, June 1, 2026. https://www.okhouse.gov/posts/news-20260601_1
- 78 Oklahoma House of Representatives, *Energy Storage Resource Safety Act; Solar Energy Development Act*, House Bill 3464, Oklahoma Legislature, 2026 Regular Session (2026). <https://legiscan.com/OK/bill/HB3464/2026>
- 79 Oklahoma Legislature, *An Act Relating to Commercial Solar Facilities; Creating the Commercial Solar Facility Decommissioning Act; Defining Terms; Providing an Effective Date*, House Bill 1373, 60th Oklahoma Legislature, 2025 Regular Session (2025). <http://www.oklegislature.gov/BillInfo.aspx?Bill=hb1373&Session=2500>



Reasonable statewide wind standards failed: one surprising bill that industry and advocates were rooting for this session was a wind setback bill that failed after legislators couldn't reach a compromise. Although industry would prefer Oklahoma's current landscape of minimal siting regulations at both state and local levels, several sessions of escalating attacks on renewables—combined with the looming departure of Stitt—made a moderate, predictable statewide standard the industry's preferred outcome. Many advocates felt it would be preferable to settle for reasonable rules now than risk far harsher ones under a more antagonistic governor. SB 2, originally introduced as a restrictive statewide standards bill in 2025, was carried over to the 2026 session and underwent significant changes in a conference committee: the setbacks were reduced to more reasonable levels and local referendum provisions were removed.⁸⁰ Unfortunately, the House rejected the conference committee's version, with Rep. Jim Shaw stating the bill prioritized the wind industry over Oklahomans, leaving the issue unsettled heading into a potentially less favorable political window.⁸¹



Arizona: De-facto ban bills dominated the session but failed to pass

Arizona's House of Representatives introduced a flurry of restrictive bills acting as de-facto bans on renewables, but none managed to reach the Governor's desk as the Senate appeared uninterested in taking them up for consideration. Noteworthy efforts included:



A four-mile "nuisance" ban: HB 2267 declared any utility-scale wind or solar farm within four miles of a residence a public nuisance, and therefore a crime, unless the developer obtained a special state certificate. The bill also directed the attorney general to sue non-compliant projects.⁸² Depending on its implementation, this bill could have served as an effective ban on renewables, particularly in populated areas. HB 2267 passed the House 31-23 along party lines but stalled in the Senate.



A near miss on state-land leasing: the State Land Department's routine continuation bill, which reauthorizes the agency through 2030, became a late-session vehicle for anti-renewable provisions. A planned Senate floor amendment to HB 2150 from Sen. Tim Dunn would have rewritten state land leasing law to treat minerals, oil, gas, and geothermal as leasable "commodity types" while expressly excluding wind and solar, effectively banning renewable development on state lands.⁸³ In the end, Dunn was never able to offer the amendment as the legislature adjourned sine die on June 12th before the bill made it to the Senate floor for a final vote. The legislature will likely revisit the continuation in the 2027 session.

Two representatives led the anti-renewables activity in Arizona's legislature, gaining support from House Republicans, but ultimately their bills never made it to a vote in the Republican-controlled Senate. Rep. David Marshall and Rep. Ralph Heap introduced or co-sponsored both HB 2267 and HB 2331. The two representatives also sponsored a number of energy-related bills in the previous session; however, they are both vacating their seats and will not return to the House in 2027.⁸⁴

⁸⁰ Oklahoma Senate, *Wind Energy; Providing Setback Requirements for Certain Affected Counties; Waiver; Referral of Question to Eligible Voters; Zoning; Construction; Exemptions; Database*, Senate Bill 2, Oklahoma Legislature, 2026 Regular Session (2026). <https://legiscan.com/OK/bill/SB2/2026>

⁸¹ Emma Murphy, "Oklahoma Lawmakers Fail to Agree on Residential Wind Setbacks," *Oklahoma Voice*, May 15, 2026. <https://oklahomavoices.com/2026/05/15/oklahoma-lawmakers-fail-to-agree-on-residential-wind-setbacks/>

⁸² Arizona House of Representatives, *Public Nuisance; Renewable Energy; Exceptions*, House Bill 2267, Arizona Legislature, Fifty-seventh Legislature 2nd Regular Session (2026). <https://legiscan.com/AZ/bill/HB2267/2026>

⁸³ Arizona House of Representatives, *Continuation; State Land Department*, House Bill 2150, Arizona Legislature, Fifty-seventh Legislature 2nd Regular Session (2026). <https://legiscan.com/AZ/bill/HB2150/2026>

⁸⁴ Reagan Priest, "Data centers, renewables and reliability are energy hot topics at the Legislature," *Arizona Capitol Times*, January 23, 2026. <http://azcapitoltimes.com/news/2026/01/23/data-centers-renewables-and-reliability-are-energy-hot-topics-at-the-legislature/>



New York: An assault on the ORES framework stalls in committee

No state saw more restrictive legislative activity than New York, where lawmakers in both parties introduced a long list of bills aimed at the state's Office of Renewable Energy Siting and Electric Transmission (ORES) that holds the authority to permit projects >20 MW and override unreasonably burdensome local ordinances. None were remotely close to passing, with the most aggressive policies stalling in committee. The recurring targets in New York's restrictive legislation include:



Dismantling state preemption: bills like AB 8996 would have authorized municipalities to opt out of all Climate Leadership and Community Protection Act mandates, AB 10965/SB 9917 would have restored local permit and veto authority, and SB 1385 would have explicitly repealed ORES's power to override restrictive local laws and returned large-scale siting to fragmented local control.^{85, 86, 87, 88}



Constraining battery storage: a cluster of bills, including AB 6955, would have imposed steep statewide setbacks on BESS while authorizing localities to go even further.⁸⁹ This wave of proposed BESS restrictions is part of a lingering backlash following a string of battery storage fires in New York in 2023.⁹⁰

The most consequential of these bills were sponsored by members of both parties, signaling some level of bipartisan opposition to state preemption and battery technology. Interestingly, BESS development is often opposed by communities in democrat-leaning districts, creating unique political headwinds for legislators to support state permitting for this technology. Nevertheless, advocates are considering legislation to bring BESS siting and permitting into ORES. An opening may arrive in 2027, following the gubernatorial and legislative elections, but advocates should curb their enthusiasm. For now, however, the ORES one-stop shop siting framework for wind and solar remains intact.

85 New York Senate, *New York State Climate Leadership and Community Protection Act*, Senate Bill S6599, New York State Legislature, 2019–2020 Legislative Session, Chapter 106 (2019). <https://www.nysenate.gov/legislation/bills/2019/S6599>

86 New York State Assembly, *An Act to Authorize Municipalities to Require a Permit for the Construction of a Major Renewable Energy Facility, Major Electric Transmission Facility or Certain Major Electric Generating Facilities*, Assembly Bill A10965, New York State Legislature, 2025–2026 Legislative Session (2026). <https://legiscan.com/NY/bill/A10965/2025>

87 New York Senate, *An Act to Authorize Municipalities to Require a Permit for the Construction of a Major Renewable Energy Facility, Major Electric Transmission Facility or Certain Major Electric Generating Facilities*, Senate Bill S09917, New York State Legislature, 2025–2026 Legislative Session (2026). <https://legiscan.com/NY/bill/S09917/2025>

88 New York Senate, *An Act to Amend the Tax Law, in Relation to the Solar Energy System Equipment Credit; to Amend the Real Property Tax Law, in Relation to a Solar STAR Credit; and to Amend the Public Service Law, in Relation to Siting Major Renewable Energy Facilities*, Senate Bill S1385, New York State Legislature, 2025–2026 Legislative Session (2025). <https://legiscan.com/NY/bill/S01385/2025>

89 New York State Assembly, *An Act to Direct the Department of Public Service to Promulgate Rules, Regulations and Model Policies Regarding Setback Requirements for the Siting of Battery Energy Storage Systems*, Assembly Bill A6955, New York State Legislature, 2025–2026 Legislative Session (2025). <https://legiscan.com/NY/bill/A06955/2025>

90 Denise Civiletti "After Three Fires This Summer at Commercial Battery Storage Facilities in N.Y., Hochul Creates Working Group for Safety Investigation," *RiverheadLOCAL*, August 4, 2023. <https://riverheadlocal.com/2023/08/04/after-three-fires-this-summer-at-commercial-battery-storage-facilities-in-n-y-hochul-creates-working-group-for-safety-investigation/>

2027 Look-Ahead

The 2026 legislative session was busy, but the Siting Solutions Project expects 2027 will be the biggest session yet for renewable energy siting and permitting policy. The one-two punch of data centers and energy affordability will continue dominating headlines and legislative agendas as policymakers look for solutions to bring down costs and address local concerns. We expect legislators will turn towards much-needed siting and permitting reforms.

State legislatures will start 2027 with a clean state since most operate on a two-year (biennial) cycle, meaning bills can't be carried over from 2026 to the 2017 session. Expect to see familiar siting bills reintroduced, including restrictive bills returning in states where they failed to advance like Oklahoma, Alabama, and Arizona.

An odd-numbered calendar year means every state will be back in session in 2027, including **Texas**, which is historically an energy siting battleground. We also expect to see a defensive play in Iowa next year, while advocates in **Pennsylvania**, **Virginia**, and **Indiana** will be pushing for permissive reforms.



Pennsylvania: RESET, round two

Last summer, Governor Shapiro introduced his "Lightning Plan", an all-of-the-above energy package that includes HB 502, which would create a state siting pathway for qualifying generation and storage projects that supersedes local zoning.^{91, 92} The bill was dead on arrival when it was introduced in the House Energy Committee after a coalition of local environmental groups and anti-fracking groups attacked the legislation, claiming the tech-neutral bill was a backdoor for oil and natural gas expansion.⁹³ While a coalition of environmental and climate groups tried to resurrect the bill, arguing it would disproportionately favor renewable energy production, the damage was done and the RESET bill was sunk.

The effort to pass siting policy in the 2026 session is ongoing. HB 2651, a guardrails bill making projects sited locally subject to statewide standards, was introduced on June 22 and a hearing will likely be scheduled in the House Local Government committee.^{94, 95} The bill includes reasonable setbacks for wind, solar, and BESS; a process to appeal unreasonable ordinances to the Attorney General's office; and pre-application consultation and community benefit requirements. It's unclear if the bill will advance through the legislature, as the Republican-controlled Senate is unlikely to support a renewables-only siting bill, and local municipal organizations are opposed to any semblance of state preemption. On the flip side, the Democrat-controlled House and environmental, left-leaning stakeholders are hesitant to support an all-of-the-above siting and permitting policy. As data center load growth intensifies, however, meeting demand with accelerated energy siting is increasingly being seen as a reliability and affordability issue, and legislators will likely be forced to the table to negotiate a compromise, with late 2026 or early 2027 the likeliest window for a solution.

91 Office of Governor Josh Shapiro, "Governor Shapiro's 'Lightning Plan' Introduced in General Assembly," press release, April 24, 2025. <https://www.pa.gov/governor/newsroom/2025-press-releases/governor-shapiro-s--lightning-plan--introduced-in-general-assembly>

92 Pennsylvania House of Representatives, *An Act Amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, Establishing the Reliable Energy Siting and Electric Transition Board*, House Bill 502, Pennsylvania General Assembly, 2025–2026 Regular Session (2025). <https://www.palegis.us/legislation/bills/2025/hb502>

93 Food & Water Watch et al., "Position Statement in Opposition to Pennsylvania House Bill 502," June 2025. <https://www.foodandwaterwatch.org/wp-content/uploads/2025/06/Position-Statement-for-HB502.docx-3.pdf>

94 The Guardrails Model: Projects are sited locally subject to statewide standards that set a ceiling on local requirements. Clean Tomorrow Siting Solutions Project, "Renewable Energy Siting Policy Field Guide," December 2025. <https://sittingsolutions.com/wp-content/uploads/2025/12/Renewable-Energy-Siting-Policy-Field-Guide.pdf>

95 Pennsylvania House of Representatives, *An Act Providing for Renewable Energy Siting Standards*, House Bill 2651, Pennsylvania General Assembly, 2025–2026 Regular Session (2025). <https://www.palegis.us/legislation/bills/2025/hb2651>



Virginia: Building on the momentum

After years of failed attempts, Virginia broke through on siting policy under new Governor Abigail Spanberger, who has prioritized energy reforms in her administration. SB 347 represented a step in the right direction for renewable deployment, but advocates believe there is still room for improvement.⁹⁶

While SB 347 moves the ball forward on siting and local governments seem to be adopting the new standards into their ordinances, the new law does not preempt local zoning authority or prohibit localities from denying renewable energy permit applications. Instead, the bill only requires that local governments adopt the statewide criteria into their ordinances and report any permit denials to state regulators, with explicit clarification that localities are not required to approve an application considered under the new special land use standards.⁹⁷ Advocates working to accelerate the deployment of new energy resources to meet some of the nation's fastest growing demand and electricity prices are interested in pushing further, especially with a receptive administration.

But the 2026 legislative session was a bruising fight for legislators, who are likely unwilling to enter the fray again so soon in 2027, especially with elections right around the corner. Instead, the next session will likely include bills offering minor improvements to SB 347, including increased technical assistance, incentives, and other inducements to encourage local governments to site renewable projects. More comprehensive reforms are likely in 2028, especially against the backdrop of the state's data center boom—Virginia is home to the largest concentration of data centers in the world—driving electricity demand and making the case for preventing arbitrary local prohibitions on clean energy generation even clearer.⁹⁸



Iowa: Defending this year's win

Renewables siting in Iowa was turned on its head following a recent Iowa Utilities Commission (IUC) contested case proceeding, halting the legislature's movement on a siting bill and pivoting the state from requiring legislative reform to a priority for defense. The question the IUC's decision addressed centers around the interpretation of Iowa Code which requires the developer of any generating facility of 25MW or larger to obtain a certificate from the IUC.⁹⁹ The state's code long granted the IUC authority to permit generation facilities of any fuel type, though recent IUC decisions often included conditions that required applicants to demonstrate compliance with local laws and receipt of associated permits. Because of this history, it was unclear whether the IUC would ever lean upon its authority to approve a project that did not receive a local permit that was required by local law. The IUC answered this question in their decision to issue a certificate for Ranger Power's solar project in the Cerro Gordo County, which passed a large-scale solar ban in 2024, asserting the IUC's long-standing authority to preempt local zoning ordinances for utility-scale generators of any technology when key conditions have been met.¹⁰⁰ Importantly, the IUC process does not give developers carte blanche to bypass local process altogether. It's likely that future IUC decisions will establish precedence regarding the types of projects and permitting processes that fall under their jurisdiction, creating valuable bookends on their authority.

96 Virginia Senate, *Local Regulation of Solar Facilities; Special Exceptions*, Senate Bill 347, Virginia General Assembly, 2026 Regular Session, Chapter 1005 (2026). <https://legiscan.com/VA/bill/SB347/2026>

97 Jared Burden, "Solar Lawyer on HB 711 and Solar Developers: It's Still Crucial to Not Lose," *Cardinal News*, April 21, 2026. <https://cardinalnews.org/2026/04/21/solar-lawyer-on-hb-711-and-solar-developers-its-still-crucial-to-not-lose/>

98 U.S. Energy Information Administration (EIA), "Commercial Electricity Sales Have Soared in Virginia, Driven by Data Centers," *Today in Energy*, May 5, 2026. <https://www.eia.gov/todayinenergy/detail.php?id=67664>

99 Iowa Utilities Commission, *Location and Construction of Electric Power Generating Facilities*, Iowa Administrative Code § 199-24 (2025). <https://www.legis.iowa.gov/docs/iac/chapter/199.24.pdf>

100 Jenna Prather, "Solar Detractors Question State Approval," *Clear Lake Mirror Reporter*, May 12, 2026. <https://www.clreporter.com/articles/clear-lake-mirror-reporter/solar-detractors-question-state-approval/>

The IUC decision on Ranger Power was delivered as the state legislature was considering a guardrails-approach siting reform, prompting legislators to abandon the effort to reassess and propose a more appropriate policy for 2027, given this new context.¹⁰¹ Advocates in 2027 will likely pivot to a defensive posture to preserve the existing IUC authority, though future reforms may further affirm and strengthen the IUC's authority to supersede local zoning permits and establish the IUC as the backstop permitting authority.



Texas: The biennial reckoning

As the leader in the nation for wind, solar, and battery storage capacity, and the state that had the most renewable energy siting legislative activity in 2025, Texas lawmakers will likely resume their efforts to pass reforms in 2027. Texas introduced the most restrictive siting bills of any state in the 2025 legislative session, although few bills were enacted.¹⁰² Still a contentious issue, the weight of siting changes in the 2027 session will be significant, given the state's large anticipated solar expansion and expected increases in energy consumption from large loads.¹⁰³ The EIA projects that 40% of new solar capacity in the U.S. in 2026 will take place in Texas, with 11.8 BkWh of additional solar growth in ERCOT estimated for 2027.¹⁰⁴ Restrictive siting policies could threaten to derail both energy and economic growth for the state down the line.

While the state did not hold a legislative session in 2026, the Texas Senate released an Interim Legislative Charge in March 2026, a formal directive to committees' interim work that typically signals upcoming session priorities and policy approaches.¹⁰⁵ Assignments for the Business and Commerce Committee prioritize energy policy, including enhancing grid reliability and affordability, managing impacts of transmission siting on private property, and weighing the growing tension between the economic development opportunity of data center growth and its impacts on landowners, private property rights, water infrastructure, and communities, all of which keep siting policy in play.¹⁰⁶ In 2025, several restrictive siting bills originated in the Texas Senate but failed to pass the House. The upcoming session could signal a rematch—the Senate is likely to renew restrictive proposals from 2025, which included excessive setback and public notice requirements, a proposed state siting board for renewables, and reverse portfolio standards. Whether the House holds the line again will determine if the country's renewable energy leader maintains their minimal regulation approach to siting. Clean energy advocates are gearing up for a contentious session in the state.

101 Iowa Senate, *An Act Relating to the Siting and Operation of Renewable Electric Power Generating Facilities*, Senate File 2447, 91st Iowa General Assembly, 2026 Regular Session (2026). <https://www.legis.iowa.gov/legislation/BillBook?ga=91&ba=SF2447>

102 Breckel and Falkenburg, "The State of Siting: 2025 Legislative Round-Up."

103 Pablo Vegas, "CEO Update," Item 12, ERCOT Board of Directors Meeting, Electric Reliability Council of Texas (ERCOT), April 21, 2026. <https://www.ercot.com/files/docs/2026/04/15/12-CEO-Update.pdf>

104 Jonathan Church, "Electricity Generation from Solar Could Exceed Coal in ERCOT for the First Time in 2026," *Today in Energy*, U.S. Energy Information Administration, May 13, 2026. <https://www.eia.gov/todayinenergy/detail.php?id=67685>

105 Jordan Wat, "Understanding Interim Charges in the Texas Legislature," *Texas 2036*, April 7, 2026. <https://texas2036.org/posts/understanding-interim-charges-in-the-texas-legislature/>

106 Dan Patrick, "2026 Interim Legislative Charges," *Government of Texas*, March 27, 2026, <https://www.itgov.texas.gov/wp-content/uploads/2026/03/2026-Interim-Charges.pdf>



Indiana: A Potential Opportunity Emerges

The 2026 legislative session in Indiana was relatively quiet on the topic of energy siting and permitting, with only one bill introduced to improve permitting outcomes for BESS.¹⁰⁷ This was by design, as advocates operating in the state worked to educate policymakers, get buy-in on policy concepts, and generate momentum for a 2027 legislative push. Advocates have also been busy building a broad coalition between environmental and climate advocates, manufacturing, chambers of commerce, and other business and economic development organizations.

On the heels of Governor Braun's Strategic Energy Growth Task Force and a massive influx of new data center development, we expect Indiana will pursue an all-of-the-above energy approach in 2027 to address skyrocketing energy demand and rising residential electricity prices.¹⁰⁸ The exact solutions are still under development; siting and permitting policy conversations are focusing initially on broad concepts. Any legislative play in Indiana will also have to respond to a shifting policy landscape; it's likely the leadership of the Indiana Senate will change, along with the makeup of the Public Utilities Commission, which could influence legislative strategy. A bright spot is that a property tax overhaul that went into effect in 2025 can improve the scale and visibility of revenues to local governments from renewable energy.¹⁰⁹ Depending on how local governments respond to the new requirements, either by lowering their tax rate, thereby allowing renewable development to decrease tax bills of property owners, or by raising their tax rates via public ordinance, resulting in a proportional budget increase from renewable development—counties and townships are likely to see increased benefits from hosting renewable energy projects.¹¹⁰

107 Indiana House of Representatives, *Land Use and Development*, House Bill 1333, 124th Indiana General Assembly, 2026 Regular Session (2026). <https://legiscan.com/IN/bill/HB1333/2026>

108 Hoosier Ag Today, "Data Center Backlash: Gov. Braun Says Tech Giants Must Protect Hoosiers from Electric Rate Hikes, Water Shortages," April 2, 2026. <https://www.hoosieragtoday.com/2026/04/02/governor-braun-data-centers/>

109 Indiana Senate, *Local Government Finance*, Senate Bill 1, 123rd Indiana General Assembly, 2025 Regular Session (2025). <https://legiscan.com/IN/bill/SB0001/2025>

110 Caroline Resor and Hayley Sakwa, "Local Property Tax Impacts of Large-Scale Wind and Solar Projects: Indiana," *Center for EmPowering Communities*, University of Michigan, May 2025. <https://graham.umich.edu/media/files/Indiana-Property-Tax-Final.pdf>

Conclusion

The 2026 legislative session offers a hopeful contrast to 2025. Where last year's sessions were defined by a restrictive wave in states with significant clean energy build-out, this year the gap between restrictive and permissive proposals narrowed. The bills that actually became law broke decisively in favor of deployment, although they were less ambitious in scope as the restrictive bills that failed. The most extreme proposals all failed to pass their legislatures.

Tracking 201 bills across 40 states, the Siting Solutions Project found that restrictive bills still outnumbered permissive ones among those introduced, and efforts to dismantle existing state-level siting regimes continued in states such as New York, Illinois, and Maryland. Of the 29 bills enacted, 16 were permissive and 1 was restrictive, though not detrimental to siting.

Battery storage emerged as the only technology with mostly permissive policy, likely due to states updating their safety regulations to keep up with the new technology. Where regressive bills did advance, defensive coalitions repeatedly stopped them, even in Republican trifecta states like Alabama and Missouri.

Illinois, Oregon, Virginia, and Washington delivered the most consequential wins for the renewable energy industry, from Virginia's solar and storage package to Washington's standards-incentive model for local governments. Utah enacted the only session's restrictive measure, significantly scaled back from its original form. Even the states that tried hardest to restrict deployment—New York, Missouri, Alabama, Oklahoma, and Arizona—came away empty handed, with moratoriums, restrictive statewide standards, and other de-facto bans failing in committee or stalling on the floor.

The outcomes of this legislative year produce two key takeaways for advocates, legislators, and the clean energy industry to carry forward: defense is working and will continue to be necessary in the longer 2027 sessions, and offense should be more ambitious with permissive reforms. The overwhelming failure of restrictive policy this year suggests there may be less genuine appetite for extreme, exclusionary energy policy than the volume of restrictive proposals implies. Defense alone, however, does not accelerate siting. The permissive bills that passed this year were largely incremental, modest improvements to clean energy siting and permitting—even Virginia's breakthrough solar standards bill stopped short of preempting local denials. Legislators will need to be more ambitious in 2027 to enable the clean energy generation required to meet the pace of rising electricity demand.

Whether 2026's more favorable balance holds will depend on the sessions to come. The Siting Solutions Project expects siting policy to feature prominently in 2027 in Pennsylvania, Virginia, Iowa, Texas, Ohio, Indiana, and more, where gubernatorial priorities, explosive data-center load growth, or other factors push siting and permitting to the center of the energy debate. The wild card in the 2027 session is how each state will handle the data-center debate, and how clean energy siting is implicated in their proposed policy solutions. In some, the need to address demand from large-load users will become the argument for accelerating generation and storage; in others, backlash to datacenter development could push legislators to strengthen local authority over all energy infrastructure.

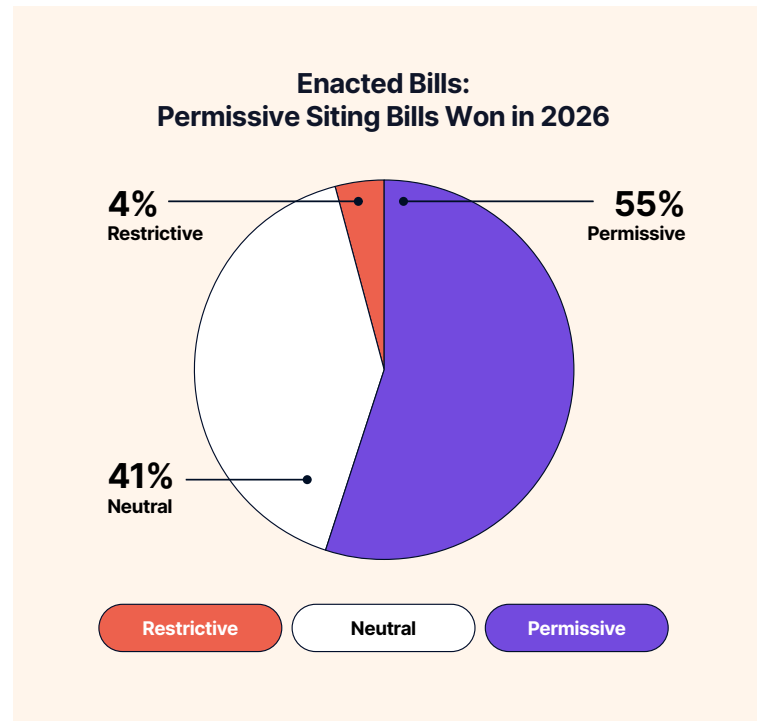


Figure 10 – Percentage of Enacted Bills by Deployment Impact

Methodology

Deployment Impact Grading

Each bill in the dataset was assigned a deployment impact rating on a five-point scale (Very Permissive, Somewhat Permissive, Neutral, Somewhat Restrictive, Very Restrictive) based on the level it would expand or constrain renewable energy and storage siting. This rating was determined through a three-step process—first, Stateside Associates, a state government affairs consulting agency that provides legislative tracking services to the Siting Solutions Project, assigned a rating. The SSP Siting Solutions Analyst then reviewed their determinations and corrected any misinterpretations. Lastly, the dataset was plugged Claude Co-Work, which was directed to flag any bills that may still be graded incorrectly for our analyst to review and correct where necessary.

The standards we apply when determining a bill's position on the five-point scale are listed below:

- **Very Restrictive** is reserved for bills that functionally block clean energy siting, including moratoriums, bills imposing extremely high statewide standards (setbacks, sound limits, decommissioning/financial assurance requirements), provisions capping development on farmland, or proposals to establish or expand local permitting authority to exclude the land use, including establishing local referendum processes, conditioning state-level permitting upon local approvals, and more.
- **Very Permissive** is reserved for bills that preempt local control in states with widespread local restriction of clean energy, or bills that tangibly remove barriers to siting through other methods like permit exemptions or by-right designations.
- **Somewhat Permissive/Restrictive** captures bills that modestly move deployment in one direction but stop short of blocking or fully enabling development. This includes imposing economic levers that influence project financing, establishing statewide standards without full preemption or for only a specific ordinance item, and steering development away from or toward certain land types through incentives or regulations.
- **Neutral** bills characterize those that have no net siting effect. There are two main categories of bills in the neutral bucket. The first category captures bills that commission studies, create task forces, and make non-binding resolutions; the second captures bills improving transparency, notification, and reporting requirements, that don't change siting and permitting standards and rather focus on process. Shell bills that were never updated with legislative text are also assigned to this category.

Industry-standard development practices (particularly the ACP Model Solar, Wind, and BESS Ordinances) are considered when assessing deployment impact, as well as the geographic scope and enforcement provisions.

Deployment Impact Mapping Methodology:

To assign a single deployment impact per state, each impact type was given a numeric weight applied symmetrically on both sides of the spectrum—Very Permissive (+2) and Very Restrictive (-2), Somewhat Permissive (+1) and Somewhat Restrictive (-1), and Neutral (0). A state's impact score is the sum of these weights across all its impact-graded introduced bills. A state was assigned their statewide impact rating based on their position in this distribution:

