

Racial Equity and Social Justice (RESJ) Impact Statement

BILL 5-21: AGRICULTURAL LAND PRESERVATION-SOLAR COLLECTION SYSTEM-DEDICATION OF BUSINESS PERSONAL PROPERTY TAX REVENUE

SUMMARY

The Office of Legislative Oversight (OLO) expects Bill 5-21 will probably have a minimal impact on racial equity and social justice among Montgomery County residents at-large.

BACKGROUND

On January 19, 2021, the County Council introduced Bill 5-21 as a companion bill to a zoning text amendment (ZTA 20-01- Solar Collection System-AR Zone Standards)¹ introduced last year to combat climate change locally. ZTA 20-01 would allow for the construction of solar collection systems in agricultural reserve; it supports the County's effort to transition to more eco-friendly and renewable methods for providing energy to Montgomery County residents.²

Bill 5-21 allows the County to allocate a portion of tax proceeds generated from the solar collection systems to support the Agricultural Preservation Fund. The estimated amount of funding generated from this allocation is currently unknown. If enacted, the bill will:

- Dedicate business personal property tax revenue received for certain solar collection systems for the Agricultural Land Preservation Fund;
 - Increase the land in the County preserved for agricultural uses; and
 - Generally amend the law governing the preservation of land for agricultural uses.³
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ANTICIPATED RESJ IMPACTS

OLO anticipates that Bill 5-21 will primarily benefit farmers and landowners in the Agricultural Reserve; it would reduce the overall funding for the County and dedicate a portion of the money to the Agricultural Land Preservation Fund. The Office of Agriculture estimates that there about 10,000 residents employed by the farming industry in the County.⁴ A recent 2017 study provided by the United States Department of Agriculture indicated that White farmers will likely disproportionately benefit from Bill 5-21 as compared to other racial groups; they represent 95% of farmers nationally and 96% statewide. Without knowledge of the estimated budget impacts and assuming that the County farmer demographics are on par with the national and state data, OLO anticipates that Bill 5-21 will have a slightly negative impact on RESJ for residents in the County at-large.

CAVEATS

Two caveats to this racial equity and social justice impact statement should be noted. First, predicting the impact of legislation on racial equity and social justice is a challenging, analytical endeavor due to data limitations, uncertainty,

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and other factors. Second, this RESJ statement is intended to inform the legislative process rather than determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

CONTRIBUTIONS

OLO staffer Dr. Theo Holt drafted this racial equity and social justice impact statement.

¹ Montgomery County Council, Zoning Text Amendment 20-01, Solar Collection System-AR Zone Standards, January 2020, Montgomery County, Maryland. https://www.montgomerycountymd.gov/COUNCIL/Resources/Files/zta/2020/ZTA_20-01.pdf

² Ibid.

³ Montgomery County Council, Bill 5-21, Agricultural Land Preservation-Solar Collection System-Dedication of Business Personal Property Tax Revenue, January 19, 2021, Montgomery County Council.

⁴ Office of Agriculture, 2017 Census of Agriculture, Montgomery County Statistics, Montgomery County, Maryland. <https://www.montgomerycountymd.gov/agservices/Resources/Files/2017AGCensusMCFactSheetFINAL.pdf>