

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 10.1-1197.5, as it is currently effective and as it shall become effective, of the*  
 3 *Code of Virginia, relating to small renewable energy projects; agrivoltaics definition.*

4 [S 340]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**  
 7 **1. That § 10.1-1197.5, as it is currently effective and as it shall become effective, of the Code of Virginia**  
 8 **is amended and reenacted as follows:**

9 **§ 10.1-1197.5. (Effective until July 1, 2026) Definitions.**

10 As used in this article:

11 *"Agrivoltaics" means the intentional co-location of agricultural production and solar energy generation*  
 12 *on the same land that (i) is designed to prioritize and sustain agricultural productivity while simultaneously*  
 13 *integrating renewable energy generation, (ii) allows the ongoing production and sale of marketable*  
 14 *agricultural products throughout the solar array's life, (iii) is a part of a farm business that is consistent with*  
 15 *commercial agricultural production, (iv) has provisions for decommissioning to protect the land's*  
 16 *agricultural resources and productivity, (v) does not significantly displace farming activity, and (vi) ensures*  
 17 *flexibility for farmers to adapt to market conditions and support operational needs.*

18 "Energy storage facility" means energy storage equipment or technology that is capable of absorbing  
 19 energy, storing such energy for a period of time, and redelivering energy after it has been stored.

20 "Small renewable energy project" means (i) an electrical generation facility with a rated capacity not  
 21 exceeding 150 megawatts that generates electricity only from sunlight or wind; (ii) an electrical generation  
 22 facility with a rated capacity not exceeding 100 megawatts that generates electricity only from falling water,  
 23 wave motion, tides, or geothermal power; (iii) an electrical generation facility with a rated capacity not  
 24 exceeding 20 megawatts that generates electricity only from biomass, energy from waste, or municipal solid  
 25 waste; (iv) an energy storage facility that uses electrochemical cells to convert chemical energy with a rated  
 26 capacity not exceeding 150 megawatts; or (v) a hybrid project composed of an electrical generation facility  
 27 that meets the parameters established in clause (i), (ii), or (iii) and an energy storage facility that meets the  
 28 parameters established in clause (iv).

29 **§ 10.1-1197.5. (Effective July 1, 2026) Definitions.**

30 As used in this article:

31 *"Agrivoltaics" means the intentional co-location of agricultural production and solar energy generation*  
 32 *on the same land that (i) is designed to prioritize and sustain agricultural productivity while simultaneously*  
 33 *integrating renewable energy generation, (ii) allows the ongoing production and sale of marketable*  
 34 *agricultural products throughout the solar array's life, (iii) is a part of a farm business that is consistent with*  
 35 *commercial agricultural production, (iv) has provisions for decommissioning to protect the land's*  
 36 *agricultural resources and productivity, (v) does not significantly displace farming activity, and (vi) ensures*  
 37 *flexibility for farmers to adapt to market conditions and support operational needs.*

38 "Energy storage facility" means energy storage equipment or technology that is capable of absorbing  
 39 energy, storing such energy for a period of time, and redelivering energy after it has been stored.

40 "Interconnection facilities" means generation tie lines, collector lines, substations, switching stations, and  
 41 any other component required to connect an electrical generation facility with the electrical grid.

42 "Small renewable energy project" means (i) an electrical generation facility with a rated capacity not  
 43 exceeding 150 megawatts that generates electricity only from sunlight or wind and its dedicated associated  
 44 interconnection facilities; (ii) an electrical generation facility with a rated capacity not exceeding 100  
 45 megawatts that generates electricity only from falling water, wave motion, tides, or geothermal power and its  
 46 dedicated associated interconnection facilities; (iii) an electrical generation facility with a rated capacity not  
 47 exceeding 20 megawatts that generates electricity only from biomass, energy from waste, or municipal solid  
 48 waste and its dedicated associated interconnection facilities; (iv) an energy storage facility that uses  
 49 electrochemical cells to convert chemical energy with a rated capacity not exceeding 150 megawatts and its  
 50 dedicated associated interconnection facilities; or (v) a hybrid project composed of an electrical generation  
 51 facility that meets the parameters established in clause (i), (ii), or (iii) and an energy storage facility that  
 52 meets the parameters established in clause (iv).

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