

119TH CONGRESS
1ST SESSION

S. 3227

To prohibit the head of a Federal agency from using Federal funds for certain solar energy projects that would result in the conversion of farmland, to exclude from certain tax credits relating to clean energy facilities placed in service on prime farmland, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 20, 2025

Mrs. BLACKBURN (for herself and Ms. LUMMIS) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To prohibit the head of a Federal agency from using Federal funds for certain solar energy projects that would result in the conversion of farmland, to exclude from certain tax credits relating to clean energy facilities placed in service on prime farmland, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting American
5 Farmland Act”.

1 **SEC. 2. PROHIBITION ON AGENCY FUNDING FOR COVERED**
 2 **SOLAR ENERGY PROJECTS.**

3 (a) IN GENERAL.—The head of a Federal agency
 4 may not use Federal funds, including by providing funds,
 5 a loan, or a loan guarantee to any person, to carry out
 6 a covered solar energy project that would result in the con-
 7 version of prime farmland.

8 (b) DEFINITIONS.—In this section:

9 (1) CONVERSION.—The term “conversion”
 10 means, with respect to prime farmland, any activity
 11 that results in the farmland failing to meet the re-
 12 quirements of a State (as such term is defined in
 13 section 343 of the Consolidated Farm and Rural De-
 14 velopment Act (7 U.S.C. 1991)) for agricultural pro-
 15 duction, activity, or use.

16 (2) COVERED SOLAR ENERGY PROJECT.—The
 17 term “covered solar energy project” means a project
 18 for the installation, operation, and maintenance of a
 19 ground-mounted facility for the generation of elec-
 20 tricity from solar energy, primarily for the purpose
 21 of sale of such electricity.

22 (3) FEDERAL AGENCY.—The term “Federal
 23 agency” has the meaning given the term “agency”
 24 in section 551 of title 5, United States Code.

25 (4) PRIME FARMLAND.—The term “prime
 26 farmland” means farmland described in section

1 1540(c)(1)(A) of the Farmland Protection Policy
2 Act (7 U.S.C. 4201(c)(1)(A)).

3 **SEC. 3. EXCLUSION OF PROPERTY PLACED IN SERVICE ON**
4 **PRIME FARMLAND FROM RESIDENTIAL**
5 **CLEAN ENERGY CREDIT.**

6 (a) IN GENERAL.—Section 25D(e) of the Internal
7 Revenue Code of 1986 is amended by adding at the end
8 the following new paragraph:

9 “(9) EXCLUSION OF SOLAR PROPERTY LO-
10 CATED ON PRIME FARMLAND.—

11 “(A) IN GENERAL.—Qualified solar electric
12 property expenditures which are properly allo-
13 cable to property placed in service on prime
14 farmland shall not be taken into account for
15 purposes of this section.

16 “(B) PRIME FARMLAND DEFINED.—For
17 purposes of this paragraph, the term ‘prime
18 farmland’ means farmland described in section
19 1540(c)(1)(A) of the Farmland Protection Pol-
20 icy Act (7 U.S.C. 4201(c)(1)(A)).”.

21 (b) EFFECTIVE DATE.—The amendment made by
22 this section shall apply to property placed in service after
23 the date of the enactment of this section.

1 **SEC. 4. EXCLUSION OF FACILITIES LOCATED ON PRIME**
 2 **FARMLAND FROM RENEWABLE ELECTRICITY**
 3 **PRODUCTION CREDIT.**

4 (a) IN GENERAL.—Section 45(e) of the Internal Rev-
 5 enue Code of 1986 is amended by adding at the end the
 6 following new paragraph:

7 “(14) EXCLUSION OF SOLAR ENERGY FACILI-
 8 TIES LOCATED ON PRIME FARMLAND.—The term
 9 ‘qualified facility’ shall not include any facility using
 10 solar energy to produce electricity which is located
 11 on prime farmland (as defined in section
 12 25D(e)(9)(B)).”.

13 (b) EFFECTIVE DATE.—The amendment made by
 14 this section shall apply to facilities placed in service after
 15 the date of the enactment of this section.

16 **SEC. 5. EXCLUSION OF FACILITIES LOCATED ON PRIME**
 17 **FARMLAND FROM CLEAN ELECTRICITY PRO-**
 18 **DUCTION CREDIT.**

19 (a) IN GENERAL.—Section 45Y(g) of the Internal
 20 Revenue Code of 1986, as amended by section 70512 of
 21 Public Law 119–21, is amended by adding at the end the
 22 following new paragraph:

23 “(14) EXCLUSION OF SOLAR FACILITIES LO-
 24 CATED ON PRIME FARMLAND.—The term ‘qualified
 25 facility’ shall not include any facility using solar en-

1 ergy to produce electricity which is located on prime
2 farmland (as defined in section 25D(e)(9)(B)).”.

3 (b) EFFECTIVE DATE.—The amendment made by
4 this section shall apply to facilities placed in service after
5 the date of the enactment of this section.

6 **SEC. 6. EXCLUSION OF PROPERTY PLACED IN SERVICE ON**
7 **PRIME FARMLAND FROM ENERGY CREDIT.**

8 (a) IN GENERAL.—Section 48(a)(3) of the Internal
9 Revenue Code of 1986 is amended by inserting “or any
10 property located on prime farmland (as defined in section
11 25D(e)(9)(B))” after “any prior taxable year”.

12 (b) EFFECTIVE DATE.—The amendment made by
13 this section shall apply to property placed in service after
14 the date of the enactment of this section.

15 **SEC. 7. EXCLUSION OF PROPERTY PLACED IN SERVICE ON**
16 **PRIME FARMLAND FROM CLEAN ELEC-**
17 **TRICITY INVESTMENT CREDIT.**

18 (a) IN GENERAL.—Section 48E(d) of the Internal
19 Revenue Code of 1986, as amended by section 70513 of
20 Public Law 119–21, is amended by adding at the end the
21 following new paragraph:

22 “(7) EXCLUSION OF SOLAR FACILITIES LO-

23 CATED ON PRIME FARMLAND.—Expenditures which

24 are properly allocable to any facility using solar en-

25 ergy to produce electricity which is placed in service

1 on prime farmland (as defined in section
2 25D(e)(9)(B)) shall not be taken into account for
3 purposes of this section.”.

4 (b) EFFECTIVE DATE.—The amendment made by
5 this section shall apply to qualified investments with re-
6 spect to facilities placed in service after the date of the
7 enactment of this section.

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