

118TH CONGRESS
1ST SESSION

S. _____

To amend the Farm Security and Rural Investment Act of 2002 to support solar projects under the Rural Energy for America Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. MERKLEY (for himself and Mr. BOOKER) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To amend the Farm Security and Rural Investment Act of 2002 to support solar projects under the Rural Energy for America Program, 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 “Pollinator Power Act
5 of 2023”.

6 **SEC. 2. SOLAR PROJECTS UNDER RURAL ENERGY FOR**
7 **AMERICA PROGRAM.**

8 Section 9007(c) of the Farm Security and Rural In-
9 vestment Act of 2002 (7 U.S.C. 8107(c)) is amended—

1 (1) in paragraph (1)—

2 (A) in subparagraph (A)—

3 (i) in clause (i)(II), by striking “and”
4 at the end;

5 (ii) in clause (ii)(III), by striking the
6 period at the end and inserting “; and”;
7 and

8 (iii) by adding at the end the fol-
9 lowing:

10 “(iii) loan guarantees and grants to
11 agricultural producers, rural small busi-
12 nesses, and farmer-owned cooperatives to
13 carry out solar projects that include the
14 creation of pollinator habitat (as defined
15 by the Natural Resources Conservation
16 Service), in accordance with subparagraph
17 (C).”; and

18 (B) by adding at the end the following:

19 “(C) SOLAR PROJECTS WITH POLLINATOR
20 HABITAT REQUIREMENT.—A project described
21 in subparagraph (A)(iii) shall be meet the fol-
22 lowing requirements:

23 “(i) Not less than 35 percent of new
24 solar area created under the project shall

1 be pollinator habitat (as defined by the
2 Natural Resources Conservation Service).

3 “(ii) Not less than 50 percent of the
4 pollinator habitat (as so defined) shall be
5 planted and maintained as a native cover
6 composed only of native plant species.”;

7 (2) by redesignating paragraphs (2) through
8 (4) as paragraphs (3) through (5), respectively;

9 (3) by inserting after paragraph (1) the fol-
10 lowing:

11 “(2) PRIORITY.—In providing loan guarantees
12 and grants under paragraph (1)(A), the Secretary
13 shall give priority to projects described in clause (iii)
14 of that paragraph.”; and

15 (4) in paragraph (4) (as so redesignated), in
16 subparagraph (A)—

17 (A) by striking “The amount” and insert-
18 ing the following:

19 “(i) IN GENERAL.—Except as pro-
20 vided in clause (ii), the amount”; and

21 (B) by adding at the end the following:

22 “(ii) SOLAR PROJECTS WITH POLLI-
23 NATOR HABITAT.—The amount of a grant
24 under paragraph (1)(A)(iii) shall not ex-
25 ceed 55 percent of the cost of the activity

1 carried out using funds from the grant, in-
2 cluding the cost of the creation of a polli-
3 nator habitat.”.