THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

NO. 3

Session of 2026

INTRODUCED BY SENATOR _____ November 5, 2026

REFERRED TO SENATE ENVIRONMENTAL RESOURCES AND COMMITTEE

Data Center Moratorium

Provides that a municipality may impose a temporary moratorium on the filing and consideration of new applications relating to “high impact data centers." This term is defined as facilities requiring a critical IT load of 25 megawatts (MW) or greater.

To implement the moratorium, the local governing body must fulfill specific procedural requirements:

• Hold at least one public hearing with proper public notice;

• Adopt formal, written findings of necessity demonstrating that a temporary pause is required to study local grid capacity, water resources, emergency services, or to update the municipal comprehensive plan and zoning maps; and

• Demonstrate continuous "reasonable progress" toward completing those studies or updates during the moratorium period.

The moratorium may not exceed 18 months from the ordinance’s effective date.

Provides an administrative hardship waiver process that allows developers to petition for an exemption if they can prove unique, undue economic or practical hardship.

Prohibits retroactive application of a moratorium and prohibits the application of a moratorium to applications or permits previously approved or granted by the municipality. A moratorium shall not apply to applications for routine maintenance, repairs, and safety upgrades at existing facilities.

This act will take effect immediately.