

HOUSE No. 5082

Substituted by the House, on motion of Mr. Speliotis of Danvers, for a bill with the same title (House, No. 4390). October 29, 2020).

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act authorizing the Town of Kingston to establish a Special Fund to process activity produced by Non-Town Net Metering.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. There shall be established in the town of Kingston a special fund, to which
2 the provisions of section 53E 1/2 of chapter 44 of the General Laws shall generally apply, except
3 as provided herein, for the receipt of all funds received by the town in connection with the
4 operation of any renewable energy facility that is owned and operated by third parties, including
5 but not limited to the funds received for: the sale of actual energy produced; and the sale of
6 energy credits received.

7 Funds deposited in the fund may be expended by the selectmen to satisfy obligations
8 under any third-party power purchase agreements. Following payments of all amounts due under
9 third party power purchase agreements established pursuant to the general authorizations of this
10 act, remaining funds shall be deposited into the general fund for any municipal purpose.

11 SECTION 2. There shall be no annual expenditure limit for this fund and the town's
12 general bylaws need not be amended to reference this fund.

13 SECTION 3. The administrator of the fund shall annually provide a report to the town,
14 which shall include, but not be limited to, the amount of donations and appropriations received,
15 the amount of grants and loans made and to whom and the balance of the fund.

16 SECTION 4. This act shall take effect upon its passage.