

SENATE BILL 879

C5, P1

8lr3644
CF 8lr2571

By: **Senator Feldman**

Introduced and read first time: February 5, 2018

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Solar Energy Grant Program – Revisions**

3 FOR the purpose of altering the maximum grant amount that the Maryland Energy
4 Administration may award to certain properties under the Solar Energy Grant
5 Program; prohibiting the Administration from denying a grant application for a
6 certain property except under certain circumstances; establishing the maximum
7 grant amount for certain years for properties that do not serve a certain purpose;
8 defining certain terms; and generally relating to the Solar Energy Grant Program.

9 BY repealing and reenacting, with amendments,
10 Article – State Government
11 Section 9–2007
12 Annotated Code of Maryland
13 (2014 Replacement Volume and 2017 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – State Government**

17 9–2007.

18 (a) (1) In this section the following words have the meanings indicated.

19 (2) “Installed electricity generation capacity” means the maximum direct
20 current power output in watts of the array of photovoltaic modules rated under standard
21 test condition.

22 (3) **“LOW-INCOME” MEANS HAVING:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(I) GROSS ANNUAL HOUSEHOLD INCOME NOT EXCEEDING**
 2 **175% OF THE FEDERAL POVERTY LEVEL; OR**

3 **(II) CERTIFICATION AS ELIGIBLE FOR A FEDERAL, STATE, OR**
 4 **LOCAL ASSISTANCE PROGRAM THAT LIMITS PARTICIPATION TO HOUSEHOLDS WITH**
 5 **INCOME NOT EXCEEDING 175% OF THE FEDERAL POVERTY LIMIT.**

6 **(4) (I) “MODERATE-INCOME” MEANS HAVING GROSS ANNUAL**
 7 **HOUSEHOLD INCOME NOT EXCEEDING 80% OF THE MEDIAN INCOME FOR THE**
 8 **STATE.**

9 **(II) “MODERATE-INCOME” DOES NOT INCLUDE LOW-INCOME.**

10 **[(3)] (5)** “Photovoltaic property” means solar energy property [with an
 11 installed electricity generation capacity of 20 kilowatts or less] that uses a solar
 12 photovoltaic process to generate electricity and that meets applicable performance and
 13 quality standards and certification requirements in effect at the time of acquisition of the
 14 property, as specified by the Maryland Energy Administration.

15 **[(4)] (6)** “Program” means the Solar Energy Grant Program.

16 **[(5)] (7)** (i) “Solar energy property” means equipment that uses solar
 17 energy:

- 18 1. to generate electricity;
- 19 2. to heat or cool a structure or provide hot water for use in
 20 a structure; or
- 21 3. to provide solar process heat.

22 (ii) “Solar energy property” does not include a swimming pool, hot
 23 tub, or any other energy storage medium that has a function other than storage.

24 **[(6)] (8)** “Solar water heating property” means solar energy property that:

25 (i) when installed in connection with a structure, uses solar energy
 26 for the purpose of providing hot water for use within the structure; and

27 (ii) meets applicable performance and quality standards and
 28 certification requirements in effect at the time of acquisition of the property, as specified
 29 by the Maryland Energy Administration.

30 (b) There is a Solar Energy Grant Program in the Administration.

31 (c) The purpose of the Program is to provide grants to individuals, local

1 governments, **NONPROFIT ORGANIZATIONS, THIRD-PARTY SOLAR PROJECT OWNERS,**
2 and businesses for a portion of the costs of acquiring and installing photovoltaic property
3 and solar water heating property.

4 (d) The Administration shall:

- 5 (1) administer the Program;
- 6 (2) establish application procedures for the Program; and
- 7 (3) award grants from the Program.

8 (e) **(1)** A grant awarded under the Program may not exceed:

9 **[(1)] (I)** for photovoltaic property **WITH AN INSTALLED ELECTRICITY**
10 **GENERATION CAPACITY OF 20 KILOWATTS OR LESS THAT DOES NOT SERVE**
11 **LOW-INCOME OR MODERATE-INCOME RESIDENTS,** the lesser of \$2,500 per kilowatt of
12 installed electricity generation capacity or \$10,000; **[and]**

13 **(II) FOR PHOTOVOLTAIC PROPERTY THAT SERVES**
14 **LOW-INCOME OR MODERATE-INCOME RESIDENTS:**

15 **1. \$500 PER KILOWATT OF INSTALLED ELECTRICITY**
16 **GENERATION, FOR A BUILDING WITH NOT MORE THAN 5 DWELLING UNITS;**

17 **2. \$150 PER KILOWATT OF INSTALLED ELECTRICITY**
18 **GENERATION, FOR A BUILDING WITH MORE THAN 5 DWELLING UNITS; AND**

19 **3. \$500 PER KILOWATT OF INSTALLED ELECTRICITY**
20 **GENERATION, FOR A SINGLE-FAMILY DWELLING; AND**

21 **[(2)] (III)** for solar water heating property, the lesser of \$3,000 or 30% of
22 the total installed cost of the solar water heating property.

23 **(2) A GRANT AWARDED UNDER PARAGRAPH (1)(II) OF THIS**
24 **SUBSECTION MAY BE DIRECTLY ASSIGNABLE TO AN INSTALLER OR A THIRD-PARTY**
25 **OWNER WHO:**

26 **(I) PROVIDES THE PHOTOVOLTAIC PROPERTY AT NO**
27 **UP-FRONT COST; AND**

28 **(II) DEMONSTRATES A COMMITMENT TO:**

29 **1. HOUSEHOLD SAVINGS; OR**

1 **2. PASSING SAVINGS THROUGH TO TENANTS OR TENANT**
2 **PROGRAMS OR FOR OPERATIONAL BENEFITS.**

3 (f) Subject to the limitations in subsection (e) of this section, the Administration
4 may adjust the grant amounts under the Program to reflect market conditions and the
5 prevailing prices of photovoltaic property and solar water heating property.

6 **(G) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**
7 **THE ADMINISTRATION MAY NOT DENY AN APPLICATION FOR A GRANT UNDER THIS**
8 **SECTION ON THE BASIS OF THE AGE OF THE PROPERTY ON WHICH THE**
9 **PHOTOVOLTAIC PROPERTY WILL BE INSTALLED.**

10 **(2) THE ADMINISTRATION MAY DENY AN APPLICATION FOR A GRANT**
11 **BASED ON THE AGE OF A PROPERTY IF THE PROPERTY IS LISTED ON THE NATIONAL**
12 **REGISTER OF HISTORIC PLACES.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding § 9–2007(e)
14 of the State Government Article, as enacted by Section 1 of this Act, for fiscal years 2019
15 and 2020 only, a grant awarded shall be equal to \$300 per kilowatt of installed electric
16 generation capacity up to a maximum of \$3,000 for a photovoltaic property that:

17 (1) is residential, but does not serve low–income or moderate–income
18 residents; or

19 (2) is not residential.

20 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
21 1, 2018.