

Requested by Representative HELM

**PROPOSED AMENDMENTS TO
HOUSE BILL 2618**

1 On page 1 of the printed bill, delete lines 4 through 25 and delete pages
2 2 through 4 and insert:

3 **“SECTION 1. As used in sections 1 to 4 of this 2019 Act:**

4 **“(1) ‘Contractor’ means a person whose trade or business consists**
5 **of offering for sale solar electric systems or paired solar and storage**
6 **systems or of providing construction, installation or design services**
7 **for solar electric systems or paired solar and storage systems.**

8 **“(2) ‘Electric utility’ has the meaning given that term in ORS**
9 **757.600.**

10 **“(3) ‘Energy storage system’ means commercially available tech-**
11 **nology that is capable of retaining energy, storing the energy for a**
12 **period of time and transmitting the energy after storage.**

13 **“(4) ‘Low-income service provider’ means a nonresidential customer**
14 **that provides health, dental, social, financial, energy conservation or**
15 **other assistive services to low or moderate income persons or low or**
16 **moderate income households.**

17 **“(5) ‘Net cost’ means the actual cost of the purchase, construction**
18 **and installation of a solar electric system or a paired solar and storage**
19 **system, minus any incentive received for the system from the electric**
20 **utility serving the customer for which the system is installed.**

21 **“(6) ‘Paired solar and storage system’ means a solar electric system**

1 and an energy storage system purchased, constructed and installed
2 together by the same contractor and paired such that the energy
3 storage system provides storage capacity for electrical energy
4 produced by the solar electric system.

5 “(7) ‘Placed in service’ means the date that a solar electric system
6 or a paired solar and storage system is ready and available to produce
7 usable electrical energy or save electrical energy.

8 “(8) ‘Solar electric system’ means any system, mechanism or series
9 of mechanisms, including photovoltaic systems, that uses solar radi-
10 ation to generate electrical energy.

11 **“SECTION 2. (1) The State Department of Energy shall adopt by**
12 **rule a program for providing rebates for the purchase, construction**
13 **or installation of solar electric systems and paired solar and storage**
14 **systems. The department shall make rebates available under this sec-**
15 **tion to be claimed by a contractor that constructs or installs a solar**
16 **electric system or a paired solar and storage system for a residential**
17 **or a nonresidential customer. A contractor that claims a rebate under**
18 **this section must use the full amount of the rebate to reduce the net**
19 **cost to the residential or nonresidential customer of the purchase,**
20 **construction or installation of the solar electric system or paired solar**
21 **and storage system for which the rebate is issued.**

22 “(2) Rebates under the program shall be made from moneys credited
23 to the Rooftop Solar Incentive Fund established under section 3 of this
24 2019 Act. A rebate may not be made unless there are sufficient moneys
25 available in the fund to make the rebate.

26 “(3) Rules adopted by the department under this section shall in-
27 clude but need not be limited to:

28 “(a) Preferences for providing rebates that benefit low and moder-
29 ate income residential customers and nonresidential customers that
30 are low-income service providers.

1 **“(b) Provisions for determining eligibility and verification of solar**
2 **electric systems and paired solar and storage systems for purposes of**
3 **the rebate program;**

4 **“(c) Policies and procedures for the administration and enforcement**
5 **of sections 1 to 4 of this 2019 Act; and**

6 **“(d) Provisions for determining the rebate amounts available for**
7 **solar electric systems and paired solar and storage systems. The de-**
8 **partment shall calculate the rebate amount per watt of installed ca-**
9 **capacity based on the projected energy production of the constructed and**
10 **installed solar electric system or paired solar and storage system over**
11 **a 20-year period.**

12 **“(4) The amount that may be claimed as a rebate under this section**
13 **may not exceed the following limits:**

14 **“(a) For a system installed for a low or moderate income residential**
15 **customer:**

16 **“(A) 60 percent of the net cost of the solar electric system or the**
17 **applicable amount under subsection (5)(a) of this section, whichever**
18 **is less; and**

19 **“(B) If the solar electric system is part of a paired solar and storage**
20 **system, an additional amount that is equal to 60 percent of the net**
21 **cost of the energy storage system or \$2,500, whichever is less.**

22 **“(b) For a system installed for a residential customer that is not**
23 **low or moderate income:**

24 **“(A) 40 percent of the net cost of the solar electric system or the**
25 **applicable amount under subsection (5)(a) of this section, whichever**
26 **is less; and**

27 **“(B) If the solar electric system is part of a paired solar and storage**
28 **system, an additional amount that is equal to 40 percent of the net**
29 **cost of the energy storage system or \$2,500, whichever is less.**

30 **“(c) For a system installed for a low-income service provider:**

1 **“(A) 50 percent of the net cost of the solar electric system or the**
2 **applicable amount under subsection (5)(b) of this section, whichever**
3 **is less; and**

4 **“(B) If the solar electric system is part of a paired solar and storage**
5 **system, an additional amount that is equal to 60 percent of the net**
6 **cost of the energy storage system or \$15,000, whichever is less.**

7 **“(d) For a system installed for nonresidential customer that is not**
8 **a low-income service provider:**

9 **“(A) 30 percent of the net cost of the solar electric system or the**
10 **applicable amount under subsection (5)(b) of this section, whichever**
11 **is less; and**

12 **“(B) If the solar electric system is part of a paired solar and storage**
13 **system, an additional amount that is equal to 40 percent of the net**
14 **cost of the energy storage system or \$15,000, whichever is less.**

15 **“(5)(a) A rebate claimed for a solar electric system described in**
16 **subsection (4)(a) or (b) of this section may not exceed:**

17 **“(A) \$6,000 if the solar electric system is placed in service during**
18 **the year 2020.**

19 **“(B) \$5,500 if the solar electric system is placed in service during the**
20 **year 2021.**

21 **“(C) \$5,000 if the solar electric system is placed in service during the**
22 **year 2022 or 2023.**

23 **“(b) A rebate claimed for a solar electric system described in sub-**
24 **section (4)(c) or (d) of this section may not exceed:**

25 **“(A) \$40,000 if the solar electric system is placed in service during**
26 **the year 2020.**

27 **“(B) \$35,000 if the solar electric system is placed in service during**
28 **the year 2021.**

29 **“(C) \$30,000 if the solar electric system is placed in service during**
30 **the year 2022 or 2023.**

1 **“(6) To be eligible to claim a rebate on behalf of a customer under**
2 **this section, a contractor who constructs or installs a solar electric**
3 **system or a paired solar and storage system must, at the time of the**
4 **construction or installation:**

5 **“(a) Hold any license, bond, insurance or permit required to sell and**
6 **construct or install the solar electric system or paired solar and stor-**
7 **age system; and**

8 **“(b) Meet any other certification requirements set forth in rules**
9 **adopted by the department.**

10 **“(7) Prior to commencing installation of a solar electric system or**
11 **paired solar and storage system, a contractor must apply to the de-**
12 **partment to reserve a rebate on behalf of the customer for whom the**
13 **solar electric system or paired solar and storage system will be in-**
14 **stalled. A contractor may reserve rebates for no more than 25 instal-**
15 **lations under this subsection in one application.**

16 **“(8) To claim a rebate reserved under subsection (7) of this section,**
17 **the contractor that reserved the rebate must submit to the department**
18 **verification of the purchase, construction or installation of the solar**
19 **electric system or paired solar and storage system. The verification**
20 **required by this section shall be made in writing on a form provided**
21 **by the department and shall contain:**

22 **“(a) The location of the solar electric system or paired solar and**
23 **storage system;**

24 **“(b) A description of the solar electric system or paired solar and**
25 **storage system;**

26 **“(c) Evidence that the contractor that constructed or installed the**
27 **solar electric system or paired solar and storage system has any li-**
28 **cence, bond, insurance or permit and meets any other certification**
29 **requirements required for the sale and construction or installation of**
30 **the solar electric system or paired solar and storage system;**

1 “(d) A statement signed by both the contractor and the customer
2 for whom the solar electric system or paired solar and storage system
3 is installed that the customer has received the full value of the rebate
4 as a reduction in the net cost of the purchase, construction or instal-
5 lation of the system and that the rebate was clearly reflected on an
6 invoice provided to the customer; and

7 “(e) Any other information that the department determines is nec-
8 essary.

9 “(9) If the department determines that a contractor claiming a re-
10 bate under this section has received any amount in excess of the
11 amounts provided for in subsections (4) and (5) of this section or that
12 a rebate has been paid due to the submission of false or fraudulent
13 information by the contractor, the department may recover the over-
14 payment or payment made on the false or fraudulent claim.

15 “SECTION 3. (1) The Rooftop Solar Incentive Fund is established in
16 the State Treasury, separate and distinct from the General Fund.
17 Moneys in the Rooftop Solar Incentive Fund shall consist of:

18 “(a) Amounts donated to the fund;

19 “(b) Amounts appropriated or otherwise transferred to the fund by
20 the Legislative Assembly; and

21 “(c) Other amounts deposited in the fund from any public or private
22 source.

23 “(2) Moneys in the fund are continuously appropriated to the State
24 Department of Energy to be used to issue rebates pursuant to section
25 2 of this 2019 Act.

26 “(3) Over the course of a calendar year:

27 “(a) No more than 50 percent of moneys available in the fund may
28 be used to issue rebates for solar electric systems or paired solar and
29 storage systems constructed or installed for nonresidential customers;
30 and

1 **“(b) At least 15 percent of the moneys available in the fund must**
2 **be reserved for rebates for solar electric systems or paired solar and**
3 **storage systems constructed or installed for low or moderate income**
4 **residential customers and low-income service providers.**

5 **“SECTION 4. (1) No later than September 15 of each year, the State**
6 **Department of Energy shall provide a report to the Legislative As-**
7 **sembly, in the manner provided in ORS 192.245, on the rebates claimed**
8 **under section 2 of this 2019 Act for solar electric systems and paired**
9 **solar and storage systems during the previous calendar year.**

10 **“(2) The report shall detail:**

11 **“(a) The number, size and location of solar electric systems in-**
12 **stalled for residential customers for which a rebate was claimed;**

13 **“(b) The number, size and location of solar electric systems in-**
14 **stalled for nonresidential customers for which a rebate was claimed;**

15 **“(c) The number and storage capacity of paired solar and storage**
16 **systems installed for which a rebate was claimed; and**

17 **“(d) The estimated amount of greenhouse gas emissions reduced or**
18 **avoided due to the installation of systems for which rebates were**
19 **claimed.**

20 **“(3) The report shall include a review by the department addressing**
21 **whether the goals of the rebate program are being met and recom-**
22 **mendations on whether the rebate amount limits set forth in section**
23 **2 of this 2019 Act or the percentages set forth in section 3 of this 2019**
24 **Act should be modified.**

25 **“(4) The report may include recommendations for legislation.**

26 **“SECTION 5. (1) Sections 1 to 4 of this 2019 Act are repealed on**
27 **January 2, 2024.**

28 **“(2) Any moneys remaining in the Rooftop Solar Incentive Fund on**
29 **the date of the repeal specified in subsection (1) of this section that**
30 **are unexpended, unobligated and not subject to any conditions shall**

1 be transferred to the General Fund.

2 **“SECTION 6.** In addition to and not in lieu of any other appropri-
3 ation, there is appropriated to the State Department of Energy, for the
4 biennium beginning July 1, 2019, out of the General Fund, the amount
5 of \$30,000,000, for deposit in the Rooftop Solar Incentive Fund estab-
6 lished under section 3 of this 2019 Act for use as provided for in that
7 section.

8 **“SECTION 7.** This 2019 Act takes effect on the 91st day after the
9 date on which the 2019 regular session of the Eightieth Legislative
10 Assembly adjourns sine die.”.

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