

111TH CONGRESS
2D SESSION

H. R. 5821

To require the Secretary of Energy to provide competitive grants to States, Indian tribes, and local governments for rebates, loans, and other incentives to eligible individuals or entities for the purchase and installation of solar energy systems for properties located in the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2010

Mr. COHEN introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require the Secretary of Energy to provide competitive grants to States, Indian tribes, and local governments for rebates, loans, and other incentives to eligible individuals or entities for the purchase and installation of solar energy systems for properties located in the United States, 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 “10 Million Solar Roofs
5 Act of 2010”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **ELIGIBLE PARTICIPANT.**—The term “eligible
4 participant” means—

5 (A) an owner of a home;

6 (B) a business entity;

7 (C) a local educational agency; and

8 (D) any other individual or entity that the
9 Secretary determines to be appropriate.

10 (2) **INDIAN TRIBE.**—The term “Indian tribe”
11 has the meaning given the term in section 4 of the
12 Indian Self-Determination and Education Assistance
13 Act (25 U.S.C. 450b).

14 (3) **INSTALLED NAMEPLATE CAPACITY.**—The
15 term “installed nameplate capacity” means the max-
16 imum output of a solar electric system under specific
17 conditions designated by the manufacturer of the
18 solar electric system.

19 (4) **LOCAL EDUCATIONAL AGENCY.**—The term
20 “local educational agency” has the meaning given
21 the term in section 9101 of the Elementary and Sec-
22 ondary Education Act of 1965 (20 U.S.C. 7801).

23 (5) **SECRETARY.**—The term “Secretary” means
24 the Secretary of Energy.

1 (6) SOLAR ENERGY SYSTEM.—The term “solar
2 energy system” means rooftop- or ground-mounted
3 solar equipment—

4 (A) that is used to generate electricity or
5 heat water; and

6 (B) with an installed nameplate capacity
7 not exceeding 1 megawatt or the thermal equiv-
8 alent of 1 megawatt.

9 **SEC. 3. REBATES, LOANS, AND OTHER INCENTIVES FOR**
10 **PURCHASE AND INSTALLATION OF SOLAR**
11 **ENERGY SYSTEMS.**

12 (a) IN GENERAL.—As soon as practicable after the
13 date of enactment of this Act, the Secretary shall establish
14 a program under which the Secretary shall provide com-
15 petitive grants to States, Indian tribes, and local govern-
16 ments to provide rebates, loans, or other incentives to eli-
17 gible participants for the purchase and installation of solar
18 energy systems for properties located in the United States.

19 (b) IMPLEMENTATION.—

20 (1) COMPETITIVE GRANTS.—

21 (A) IN GENERAL.—For each fiscal year,
22 the Secretary shall provide competitive grants
23 to States, Indian tribes, and local governments
24 to be used in accordance with this section.

1 (B) REQUIREMENTS.—The Secretary shall
2 adopt and implement criteria for awarding com-
3 petitive grants under subparagraph (A) to
4 States, Indian tribes, and local governments
5 that would—

6 (i) provide the maximum leverage of
7 Federal funds;

8 (ii) provide for the maximum deploy-
9 ment of solar energy;

10 (iii) ensure that grants are awarded to
11 a diversity of geographic locations and re-
12 cipients with different population sizes;

13 (iv) provide not less than 2 percent of
14 the funds available to Indian tribes and
15 consortia of Indian tribes; and

16 (v) provide a preference for grant re-
17 cipients that have established and main-
18 tained, or agree to commit to establish and
19 maintain, standards and policies to over-
20 come barriers to distributed generation (in-
21 cluding interconnection and net metering)
22 in a manner consistent with the legal au-
23 thorities of the grant recipient.

24 (2) AUTHORIZED USE OF FUNDS.—Subject to
25 subsection (c), competitive grants provided under

1 this section may be used to expand an existing, or
2 establish and fund a new—

3 (A) solar rebate program;

4 (B) solar loan program;

5 (C) solar performance-based incentive pro-
6 gram; or

7 (D) solar incentive program, solar deploy-
8 ment program or project, or innovative solar fi-
9 nancing program not described in subpara-
10 graphs (A) through (C), as determined by the
11 Secretary.

12 (3) PROGRAM REQUIREMENTS.—For each fiscal
13 year during which a grant recipient uses funds pro-
14 vided under this section, the grant recipient shall—

15 (A) certify to the Secretary that the funds
16 will be used—

17 (i) to supplement, expand, or create
18 new programs or projects and will not sup-
19 plant existing programs as to maximize
20 program participation; and

21 (ii) to deploy an increased quantity of
22 solar energy systems; and

23 (B) submit to the Secretary an implemen-
24 tation plan that contains—

1 (i) projections for solar energy sys-
2 tems deployment;

3 (ii) data regarding the number of eli-
4 gible participants that are assisted under
5 existing applicable State and local pro-
6 grams; and

7 (iii) projections for—

8 (I) additional solar energy system
9 deployment; and

10 (II) the number of additional eli-
11 gible participants who will be covered
12 by the annual implementation plan.

13 (c) SOLAR ENERGY SYSTEM.—With respect to grant
14 awards in any fiscal year under this section, the Secretary
15 may specify the type and capacity of the solar energy sys-
16 tem and type of deployment or incentive program for
17 which the grant funds are made available.

18 (d) NON-FEDERAL SHARE.—Each eligible entity that
19 receives funds under this section shall be responsible for
20 an amount equal to 20 percent of the amount of the pro-
21 vided funds.

22 (e) ADMINISTRATIVE EXPENSES.—

23 (1) IN GENERAL.—Not more than 5 percent of
24 the amounts made available for each fiscal year
25 under this section may be used to pay the adminis-

1 trative expenses of the Department of Energy that
2 the Secretary determines to be necessary to carry
3 out this Act (including expenses arising from moni-
4 toring and evaluation).

5 (2) ELIGIBLE ENTITIES; OTHER GRANT RECIPI-
6 ENTS.—Grant recipients may use amounts made
7 available for each fiscal year under this section to
8 pay for administrative expenses in accordance with
9 section 545(b)(3)(A) of the Energy Independence
10 and Security Act of 2007 (42 U.S.C.
11 17155(b)(3)(A)).

12 (f) RELATIONSHIP TO OTHER LAW.—An eligible par-
13 ticipant that receives a rebate under this section shall not
14 be eligible for a rebate under section 206(c) of the Energy
15 Policy Act of 2005 (42 U.S.C. 15853).

16 (g) COORDINATION; CONSULTATION.—To the max-
17 imum extent practicable, the Secretary shall consult with
18 the Secretary of the Treasury and the Chief Executive of
19 each grant recipient that receives funds under this section
20 to ensure that each program carried out by each grant
21 recipient through the use of the funds is coordinated with
22 each other applicable incentive or financing program of the
23 Federal Government or any other applicable program.

24 (h) MAXIMUM INCENTIVE.—

1 (1) IN GENERAL.—With respect to each rebate,
2 grant, and tax credit provided to an eligible partici-
3 pant under this section, the aggregate value of the
4 grants, rebates, and tax credits may not exceed 50
5 percent of the cost to the purchaser of the purchase
6 and installation of the solar energy system.

7 (2) EFFECT.—Nothing in this subsection af-
8 fects any solar loan or financing program under this
9 section or any other law (including regulations).

10 (i) GOAL.—It is the goal of the United States,
11 through this Act and any appropriate incentive or research
12 and development program, to install distributed solar en-
13 ergy systems on not less than 10,000,000 properties lo-
14 cated in the United States by December 31, 2021.

15 (j) REPORT REGARDING ADDITIONAL RECOMMENDA-
16 TIONS.—Not later than 270 days after the date of enact-
17 ment of this Act, the Secretary shall submit to the Com-
18 mittee on Energy and Natural Resources of the Senate
19 and the Committee on Energy and Commerce of the
20 House of Representatives a report that contains additional
21 recommendations that the Secretary determines to be nec-
22 essary to achieve the goal described in subsection (i), in-
23 cluding any modification to the program established under
24 subsection (a).

1 (k) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to the Secretary to carry
3 out this section—

4 (1) for fiscal year 2012, \$250,000,000; and

5 (2) for each of fiscal years 2013 through 2021,

6 such sums as are necessary.

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