

110TH CONGRESS  
1ST SESSION

# H. R. 2890

To direct the Secretary of Energy to establish a photovoltaic demonstration program, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2007

Mr. SMITH of Texas introduced the following bill; which was referred to the Committee on Science and Technology

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## A BILL

To direct the Secretary of Energy to establish a photovoltaic demonstration program, 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 “Solar Utilization Now  
5       Demonstration Act of 2007” or the “SUN Act of 2007”.

6       **SEC. 2. PHOTOVOLTAIC DEMONSTRATION PROGRAM.**

7       (a) IN GENERAL.—The Secretary shall establish a  
8       program of grants to States to demonstrate advanced pho-  
9       tovoltaic technology.

10       (b) REQUIREMENTS.—

1           (1) ABILITY TO MEET REQUIREMENTS.—To re-  
2       ceive funding under the program under this section,  
3       a State must submit a proposal that demonstrates,  
4       to the satisfaction of the Secretary, that the State  
5       will meet the requirements of subsection (f).

6           (2) COMPLIANCE WITH REQUIREMENTS.—If a  
7       State has received funding under this section for the  
8       preceding year, the State must demonstrate, to the  
9       satisfaction of the Secretary, that it complied with  
10      the requirements of subsection (f) in carrying out  
11      the program during that preceding year, and that it  
12      will do so in the future, before it can receive further  
13      funding under this section.

14          (3) FUNDING ALLOCATION.—Each State sub-  
15      mitting a qualifying proposal shall receive funding  
16      under the program based on the proportion of  
17      United States population in the State according to  
18      the 2000 census. In each fiscal year, the portion of  
19      funds attributable under this paragraph to States  
20      that have not submitted qualifying proposals in the  
21      time and manner specified by the Secretary shall be  
22      distributed pro rata to the States that have sub-  
23      mitted qualifying proposals in the specified time and  
24      manner.

1       (c) COMPETITION.—If more than \$25,000,000 is  
2 available for the program under this section for any fiscal  
3 year, the Secretary shall allocate 75 percent of the total  
4 amount of funds available according to subsection (b)(3),  
5 and shall award the remaining 25 percent on a competitive  
6 basis to the States with the proposals the Secretary con-  
7 siders most likely to encourage the widespread adoption  
8 of photovoltaic technologies.

9       (d) PROPOSALS.—Not later than 6 months after the  
10 date of enactment of this Act, and in each subsequent fis-  
11 cal year for the life of the program, the Secretary shall  
12 solicit proposals from the States to participate in the pro-  
13 gram under this section.

14       (e) COMPETITIVE CRITERIA.—In awarding funds in  
15 a competitive allocation under subsection (c), the Sec-  
16 retary shall consider—

17               (1) the likelihood of a proposal to encourage the  
18 demonstration of, or lower the costs of, advanced  
19 photovoltaic technologies; and

20               (2) the extent to which a proposal is likely to—

21                       (A) maximize the amount of photovoltaics  
22 demonstrated;

23                       (B) maximize the proportion of non-Fed-  
24 eral cost share; and

25                       (C) limit State administrative costs.

1 (f) STATE PROGRAM.—A program operated by a  
2 State with funding under this section shall provide com-  
3 petitive awards for the demonstration of advanced photo-  
4 voltaic technologies. Each State program shall—

5 (1) require a contribution of at least 60 percent  
6 per award from non-Federal sources, which may in-  
7 clude any combination of State, local, and private  
8 funds, except that at least 10 percent of the funding  
9 must be supplied by the State;

10 (2) endeavor to fund recipients in the commer-  
11 cial, industrial, institutional, governmental, and resi-  
12 dential sectors;

13 (3) limit State administrative costs to no more  
14 than 10 percent of the grant;

15 (4) report annually to the Secretary on—

16 (A) the amount of funds disbursed;

17 (B) the amount of photovoltaics purchased;

18 and

19 (C) the results of the monitoring under  
20 paragraph (5);

21 (5) provide for measurement and verification of  
22 the output of a representative sample of the  
23 photovoltaics systems demonstrated throughout the  
24 average working life of the systems, or at least 20  
25 years; and

1           (6) require that applicant buildings must have  
2       received an independent energy efficiency audit dur-  
3       ing the 6-month period preceding the filing of the  
4       application.

5       (g) UNEXPENDED FUNDS.—If a State fails to expend  
6       any funds received under subsection (b) or (c) within 3  
7       years of receipt, such remaining funds shall be returned  
8       to the Treasury.

9       (h) REPORTS.—The Secretary shall report to Con-  
10      gress 5 years after funds are first distributed to the States  
11      under this section—

12           (1) the amount of photovoltaics demonstrated;

13           (2) the number of projects undertaken;

14           (3) the administrative costs of the program;

15           (4) the amount of funds that each State has  
16      not received because of a failure to submit a quali-  
17      fying proposal, as described in subsection (b)(3);

18           (5) the results of the monitoring under sub-  
19      section (f)(5); and

20           (6) the total amount of funds distributed, in-  
21      cluding a breakdown by State.

22      (i) AUTHORIZATION OF APPROPRIATIONS.—There  
23      are authorized to be appropriated to the Secretary for the  
24      purposes of carrying out this section—

25           (1) \$15,000,000 for fiscal year 2008;

- 1           (2) \$30,000,000 for fiscal year 2009;
- 2           (3) \$45,000,000 for fiscal year 2010;
- 3           (4) \$60,000,000 for fiscal year 2011; and
- 4           (5) \$70,000,000 for fiscal year 2012.

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