

112TH CONGRESS  
1ST SESSION

# S. 1108

To provide local communities with tools to make solar permitting more efficient, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MAY 26, 2011

Mr. SANDERS (for himself, Mr. BOOZMAN, and Mr. BINGAMAN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To provide local communities with tools to make solar permitting more efficient, 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 2011”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **BEST PRACTICES FOR SOLAR PERMIT-**  
9 **TING.**—The term “best practices for solar permit-  
10 ting” means 1 or more practices—

1 (A) defined by the Secretary by regulation

2 as—

3 (i) promoting standardization and  
 4 uniformity for local permitting require-  
 5 ments for solar energy across jurisdictions;  
 6 and

7 (ii)(I) lowering the solar energy sys-  
 8 tem installation costs associated with local  
 9 permitting; or

10 (II) expediting the local permitting  
 11 process for solar energy; and

12 (B) identified by the Secretary through  
 13 consultation with—

14 (i) local governments, including each  
 15 local government that participates in the  
 16 Rooftop Solar Challenge or other appro-  
 17 priate solar energy program of the Depart-  
 18 ment of Energy; and

19 (ii) members of the solar energy in-  
 20 dustry.

21 (2) CHALLENGE GRANT.—The term “challenge  
 22 grant” means a grant awarded under a competitive  
 23 program to 1 or more applicants that achieve imple-  
 24 mentation of best practices for solar permitting.

1           (3) COMMITMENT TO ADOPT BEST PRACTICES  
2           FOR SOLAR PERMITTING.—The term “commitment  
3           to adopt best practices for solar permitting” means  
4           an agreement or memorandum of understanding be-  
5           tween the head of a local government and the Sec-  
6           retary that contains—

7                   (A) an outline of steps that the local gov-  
8                   ernment commits to take to adopt best prac-  
9                   tices for solar permitting; and

10                   (B) a timeline for implementation of the  
11                   steps described in subparagraph (A).

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

17           (5) SECRETARY.—The term “Secretary” means  
18           the Secretary of Energy.

19           (6) SOLAR ENERGY SYSTEM.—The term “solar  
20           energy system” means rooftop or ground-mounted  
21           solar equipment—

22                   (A) that is used to generate electricity or  
23                   heat water in the United States; and

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

4 **SEC. 3. TOOLS FOR EFFICIENT INSTALLATION OF SOLAR**  
5 **ENERGY SYSTEMS.**

6 (a) IN GENERAL.—As soon as practicable after the  
7 date of enactment of this Act, the Secretary shall establish  
8 a program under which the Secretary shall provide com-  
9 petitive grants or challenge grants, or both, to local gov-  
10 ernments or consortia of local governments that have  
11 adopted or offer a commitment to adopt best practices for  
12 solar permitting for properties located in the United  
13 States.

14 (b) IMPLEMENTATION.—

15 (1) SOLAR CERTIFICATIONS.—The Secretary  
16 shall provide voluntary certification and recognition  
17 for local governments (including local governments  
18 that receive grants under paragraph (2)) that indi-  
19 cate that the local government has adopted best  
20 practices for solar permitting.

21 (2) COMPETITIVE GRANTS AND CHALLENGE  
22 GRANTS.—

23 (A) IN GENERAL.—For each fiscal year,  
24 the Secretary shall award competitive grants or  
25 challenge grants, or both, to local governments

1 and consortia of local governments to be used  
2 in accordance with this section.

3 (B) REQUIREMENTS.—The Secretary shall  
4 adopt and implement criteria for awarding com-  
5 petitive grants or challenge grants, or both,  
6 under subparagraph (A) to local governments  
7 and consortia of local governments—

8 (i) to promote greater standardiza-  
9 tion, efficiency, and uniformity for solar  
10 energy permitting across jurisdictions; and

11 (ii) that would—

12 (I) require that grant awards are  
13 provided only to local governments or  
14 consortia of local governments that  
15 have—

16 (aa) adopted or offer a com-  
17 mitment to adopt best practices  
18 for solar permitting; and

19 (bb) provided quantitative  
20 metrics to measure success;

21 (II) ensure that grants are  
22 awarded to a diversity of geographic  
23 locations and recipients with different  
24 population sizes; and

1 (III) provide a preference for  
2 grant applicants that have partnered  
3 with States, public utility commis-  
4 sions, or other stakeholders to adopt  
5 or enhance standards and policies to  
6 overcome other barriers to distributed  
7 generation (including interconnection  
8 and net metering).

9 (3) AUTHORIZED USE OF FUNDS FOR COMPETI-  
10 TIVE GRANTS.—Subject to subsection (c), competi-  
11 tive grants provided under this section may be used  
12 for—

13 (A) training for making, to the maximum  
14 extent practicable, the local permitting process  
15 for solar energy systems more standardized, ef-  
16 ficient, and less expensive;

17 (B) the development of materials, Internet-  
18 based tools and application processes, and other  
19 tools or information to make, to the maximum  
20 extent practicable, the local permitting process  
21 for solar energy systems more standardized, ef-  
22 ficient, and less expensive;

23 (C) solar energy system deployment  
24 projects or programs to pilot new permitting  
25 strategies or processes; and

1 (D) other programs or projects to achieve  
2 the objectives described in subparagraphs (A)  
3 through (C), as determined by the Secretary.

4 (4) AUTHORIZED USE OF FUNDS FOR CHAL-  
5 LENGE GRANTS.—Subject to subsection (c), chal-  
6 lenge grants provided under this section may be  
7 used for—

8 (A) solar energy system deployment  
9 projects; and

10 (B) programs to pilot new permitting  
11 strategies or processes.

12 (c) RESCISSION FOR NONCOMPLIANCE.—The Sec-  
13 retary shall rescind any amount of grant funds that the  
14 Secretary considers to be appropriate that is provided to  
15 any grant recipient that—

16 (1) receives funds based on a commitment to  
17 adopt best practices for solar permitting; but

18 (2) is unable to implement the steps necessary  
19 to adopt the best practices for solar permitting.

20 (d) NON-FEDERAL SHARE.—The Secretary shall re-  
21 quire that each entity that receives grant funds under this  
22 section shall be responsible for a matching amount (in-  
23 cluding in-kind services)—

24 (1) established by the Secretary for each fiscal  
25 year for which funds are authorized; and

1           (2) not to exceed 50 percent of the amount of  
2 the provided funds.

3           (e) ADMINISTRATIVE EXPENSES.—

4           (1) IN GENERAL.—Not more than 5 percent of  
5 the amounts made available for each fiscal year  
6 under this section may be used to pay the adminis-  
7 trative expenses of the Department of Energy that  
8 the Secretary determines to be necessary to carry  
9 out this Act (including expenses arising from moni-  
10 toring and evaluation).

11           (2) GRANT RECIPIENTS.—Grant recipients may  
12 use not more than 5 percent of the amounts made  
13 available for each fiscal year under this section to  
14 pay for administrative expenses.

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



1 (g) GOALS.—The goals of the United States, through  
2 this Act and any additional or existing incentive or re-  
3 search and development program, are—

4 (1) to install distributed solar energy systems  
5 on not less than 10,000,000 properties located in the  
6 United States by December 31, 2020; and

7 (2) to achieve cost reductions in the price of  
8 solar energy by December 31, 2020, consistent with  
9 the SunShot Initiative of the Department of Energy.

10 (h) REPORTS.—

11 (1) REPORT REGARDING ADDITIONAL REC-  
12 OMMENDATIONS.—Not later than 270 days after the  
13 date of enactment of this Act, the Secretary shall  
14 submit to the Committee on Energy and Natural  
15 Resources of the Senate and the Committee on En-  
16 ergy and Commerce of the House of Representatives  
17 a report that contains additional recommendations  
18 that the Secretary determines to be necessary to  
19 achieve each goal described in subsection (g).

20 (2) REPORT REGARDING PROGRESS OF GRANT  
21 RECIPIENTS.—Not later than 2 years after the date  
22 on which funds are first made available under this  
23 section, the Secretary shall submit to the appro-  
24 priate committees of Congress a report that contains  
25 a description of the progress of grant recipients

1 under this section in implementing and maintaining  
2 best practices for solar permitting.

3 (i) FUNDING.—

4 (1) IN GENERAL.—Of the amounts authorized  
5 to be appropriated under section 641(p)(3) of the  
6 Energy Independence and Security Act of 2007 (42  
7 U.S.C. 17231(p)(3)), the Secretary may use to carry  
8 out this section \$50,000,000 for each of fiscal years  
9 2012 through 2016.

10 (2) TERMINATION.—Paragraph (1) shall termi-  
11 nate on October 1, 2016.

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