

Calendar No. 313

112TH CONGRESS
2^D SESSION

S. 1108

[Report No. 112-144]

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

IN THE SENATE OF THE UNITED STATES

MAY 26, 2011

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

FEBRUARY 7, 2012

Reported by Mr. BINGAMAN, with an amendment

[Omit the part struck through and insert the part printed in *italic*]

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”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) BEST PRACTICES FOR SOLAR PERMIT-
4 TING.—The term “best practices for solar permit-
5 ting” means 1 or more practices—

6 (A) defined by the Secretary by regulation
7 as—

8 (i) promoting standardization and
9 uniformity for local permitting require-
10 ments for solar energy across jurisdictions;
11 and

12 (ii)(I) lowering the solar energy sys-
13 tem installation costs associated with local
14 permitting; or

15 (II) expediting the local permitting
16 process for solar energy; and

17 (B) identified by the Secretary through
18 consultation with—

19 (i) local governments, including each
20 local government that participates in the
21 Rooftop Solar Challenge or other appro-
22 priate solar energy program of the Depart-
23 ment of Energy; and

24 (ii) members of the solar energy in-
25 dustry.

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

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

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

14 (B) a timeline for implementation of the
15 steps described in subparagraph (A).

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

21 (5) SECRETARY.—The term “Secretary” means
22 the Secretary of Energy.

23 (6) SOLAR ENERGY SYSTEM.—The term “solar
24 energy system” means rooftop or ground-mounted
25 solar equipment—

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

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

6 **SEC. 3. TOOLS FOR EFFICIENT INSTALLATION OF SOLAR**
7 **ENERGY SYSTEMS.**

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

16 (b) IMPLEMENTATION.—

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

23 (2) COMPETITIVE GRANTS AND CHALLENGE
24 GRANTS.—

1 (A) IN GENERAL.—For each fiscal year,
2 the Secretary shall award competitive grants or
3 challenge grants, or both, to local governments
4 and consortia of local governments to be used
5 in accordance with this section.

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

11 (i) to promote greater standardiza-
12 tion, efficiency, and uniformity for solar
13 energy permitting across jurisdictions; and

14 (ii) that would—

15 (I) require that grant awards are
16 provided only to local governments or
17 consortia of local governments that
18 have—

19 (aa) adopted or offer a com-
20 mitment to adopt best practices
21 for solar permitting; and

22 (bb) provided quantitative
23 metrics to measure success;

24 (II) ensure that grants are
25 awarded to a diversity of geographic

1 locations and recipients with different
2 population sizes; and

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

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

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

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

1 (C) solar energy system deployment
2 projects or programs to pilot new permitting
3 strategies or processes; and

4 (D) other programs or projects to achieve
5 the objectives described in subparagraphs (A)
6 through (C), as determined by the Secretary.

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

11 (A) solar energy system deployment
12 projects; and

13 (B) programs to pilot new permitting
14 strategies or processes.

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

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

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

23 (d) NON-FEDERAL SHARE.—The Secretary shall re-
24 quire that each entity that receives grant funds under this

1 section shall be responsible for a matching amount (in-
2 cluding in-kind services)—

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

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

7 (e) ADMINISTRATIVE EXPENSES.—

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

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

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

1 of the Federal Government or any other applicable pro-
2 gram.

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

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

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

12 (h) REPORTS.—

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

22 (2) REPORT REGARDING PROGRESS OF GRANT
23 RECIPIENTS.—Not later than 2 years after the date
24 on which funds are first made available under this
25 section, the Secretary shall submit to the appro-

1 appropriate committees of Congress a report that contains
2 a description of the progress of grant recipients
3 under this section in implementing and maintaining
4 best practices for solar permitting.

5 (i) FUNDING.—

6 (1) IN GENERAL.—Of the amounts authorized
7 to be appropriated under ~~section 641(p)(3) of the~~
8 ~~Energy Independence and Security Act of 2007 (42~~
9 ~~U.S.C. 17231(p)(3))~~ *section 399A(i)(1) of the Energy*
10 *Policy and Conservation Act (42 U.S.C. 6371h–*
11 *1(i)(1))*, the Secretary may use to carry out this sec-
12 tion \$50,000,000 for each of fiscal years 2012
13 through 2016.

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

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