

116TH CONGRESS
1ST SESSION

H. R. 4291

To help reduce household energy burdens by expanding access to solar energy for low-income households, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 11, 2019

Mr. MCEACHIN (for himself, Ms. BARRAGÁN, Ms. JAYAPAL, and Mr. LUJÁN) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Financial Services, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To help reduce household energy burdens by expanding access to solar energy for low-income households, 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 “Low-Income Solar En-
5 ergy Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act, the term “low-income”, used with respect
8 to a household, means a household that is eligible for a

1 payment under the Low-Income Home Energy Assistance
2 Act of 1981 (42 U.S.C. 8621 et seq.), in accordance
3 with—

4 (1) section 2605(b)(2) of such Act (42 U.S.C.
5 8624(b)); and

6 (2) State eligibility guidelines (consistent with
7 such Act) for that payment.

8 **SEC. 3. LOW-INCOME HOME ENERGY ASSISTANCE.**

9 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Section
10 2602 of the Low-Income Home Energy Assistance Act of
11 1981 (42 U.S.C. 8621) is amended—

12 (1) in the first sentence of subsection (b), by
13 striking “2607A),” and all that follows and inserting
14 “2607A), \$6,075,000,000 for fiscal year 2020 and
15 each subsequent fiscal year.”; and

16 (2) in subsection (e), by striking “(e) of” and
17 inserting “(f) of”.

18 (b) **RESERVATION OF FUNDS.**—Section 2604 of the
19 Low-Income Home Energy Assistance Act of 1981 (42
20 U.S.C. 8623) is amended—

21 (1) by redesignating subsection (e) as sub-
22 section (f); and

23 (2) by inserting after subsection (d) the fol-
24 lowing:

1 “(e)(1) Of the funds available to a State under sub-
2 section (a), a territory under subsection (b), or a tribal
3 organization or other entity under subsection (d), up to
4 25 percent may be reserved by the State, territory, or or-
5 ganization or entity, for solar projects for covered housing.

6 “(2) The Secretary shall expand the program funded
7 under section 2602(b) to include such solar projects, and
8 for purposes of this title shall consider—

9 “(A) the funds used for such projects to be as-
10 sistance for home energy costs; and

11 “(B) the projects to be activities that provide
12 assistance for home energy costs, rather than to res-
13 idential weatherization or other energy-related home
14 repair.

15 “(3) In determining whether to award, under that
16 program, funding that includes a portion for a solar
17 project to a State, territory, or tribal organization or enti-
18 ty, the Secretary shall use the application and request
19 processes specified in this title, with such adjustments as
20 the Secretary may specify in regulations.

21 “(4) The Secretary shall issue regulations and guid-
22 ance for States, territories, and tribal organizations and
23 entities, that receive funds under subsection (a), (b), or
24 (d) (referred to individually in this subsection as a ‘cov-
25 ered recipient’), to—

1 “(A) define the solar projects that may be fund-
2 ed through the reserved funds described in para-
3 graph (1);

4 “(B) specify the circumstances and process
5 under which a covered recipient, with an arrange-
6 ment with a particular type of local agency or orga-
7 nization to distribute assistance for home energy
8 costs, may instead enter into an arrangement with
9 a different local agency or organization with exper-
10 tise in solar projects, for such projects; and

11 “(C) specify how a covered recipient may dis-
12 tribute such funds in a manner that usefully fi-
13 nances the work of solar project developers and solar
14 panel installers for such projects.

15 “(5) Not later than 6 months after the date of enact-
16 ment of the Low-Income Solar Energy Act, the Secretary
17 shall—

18 “(A) evaluate whether community solar projects
19 could be administered through the program carried
20 out under this title; and

21 “(B) prepare and submit to Congress a report
22 containing the evaluation.

23 “(6) In this section, the term ‘covered housing’ means
24 federally assisted housing as defined in section 683 of the
25 Housing and Community Development Act of 1992 (42

1 U.S.C. 13641), and housing occupied by a low-income
2 household, as defined in section 2 of the Low-Income Solar
3 Energy Act.”.

4 (c) USE OF FUNDS.—Section 2605(b)(1)(A) of the
5 Low-Income Home Energy Assistance Act of 1981 (42
6 U.S.C. 8624(b)(1)(A)) is amended by inserting “, includ-
7 ing the costs of solar projects for covered housing as de-
8 fined in section 2604(e)” after “home energy costs”.

9 (d) CONFORMING AMENDMENT.—Section 2609 of the
10 Low-Income Home Energy Assistance Act of 1981 (42
11 U.S.C. 8628) is amended by inserting “, including solar
12 projects for covered housing or community solar projects
13 under section 2604(e)” after “home repairs”.

14 **SEC. 4. SOLAR FINANCING AND WORKFORCE TRAINING.**

15 (a) DEFINITIONS.—In this section:

16 (1) COMMUNITY SOLAR PROJECT.—The term
17 “community solar project” means a project for the
18 renewable generation of energy through solar power
19 that has multiple subscribers that receive benefits on
20 utility bills that are directly attributable to the
21 project.

22 (2) COMMUNITY SOLAR SUBSCRIPTION.—The
23 term “community solar subscription” means owner-
24 ship of a financial share in a community solar
25 project that serves multiple consumers.

1 (3) ELIGIBLE ENTITY.—The term “eligible enti-
2 ty” means a developer or installer of solar equip-
3 ment.

4 (4) ELIGIBLE HOUSEHOLD.—The term “eligible
5 household” means a household that includes an eligi-
6 ble individual as defined in section 32(c)(1) of the
7 Internal Revenue Code of 1986 for purposes of the
8 credit under section 32 of that Code.

9 (5) INTERCONNECTION.—The term “inter-
10 connection” has the meaning given the term in sec-
11 tion 111(d)(15) of the Public Utility Regulatory
12 Policies Act of 1978 (16 U.S.C. 2621(d)(15)).

13 (6) SECRETARY.—The term “Secretary” means
14 the Secretary of Energy.

15 (b) SOLAR FINANCING PROGRAM.—

16 (1) IN GENERAL.—The Secretary shall establish
17 a solar financing program under which the Secretary
18 shall offer a variety of financing mechanisms, includ-
19 ing grants, loans, loan guarantees, and interest buy-
20 downs, to support the deployment of solar projects
21 for eligible households, in accordance with this sub-
22 section.

23 (2) GRANTS.—

24 (A) IN GENERAL.—Under the program es-
25 tablished under paragraph (1), the Secretary

1 shall award grants to eligible entities for de-
2 ploying residential solar projects or community
3 solar projects—

4 (i) that benefit eligible households;

5 and

6 (ii) in which the tariff, net metering,
7 bill credit, or other valuation of solar en-
8 ergy generation, or the sale of that solar
9 generation by a third party, enables a sav-
10 ings-to-investment ratio of at least 1:1 for
11 an eligible entity over a period of not more
12 than 10 years.

13 (B) USE OF FUNDS.—An eligible entity
14 that receives a grant under the program estab-
15 lished under paragraph (1) shall use the grant
16 only to pay for—

17 (i) the cost and installation of solar
18 equipment in buildings in which the dwell-
19 ing units of eligible households are located,
20 including the cost of materials, labor, and
21 permitting;

22 (ii) repairs or upgrades to the build-
23 ings described in clause (i) that may be
24 needed to ensure that solar equipment is
25 installed in a safe manner; and

1 (iii) the cost of a community solar
2 subscription.

3 (3) SOLAR HOUSING LOANS.—

4 (A) IN GENERAL.—Under the program es-
5 tablished under paragraph (1), the Secretary
6 shall provide loans at zero percent interest—

7 (i) to owners of buildings—

8 (I) that receive assistance under
9 section 8(o) of the United States
10 Housing Act of 1937 (42 U.S.C.
11 1437f(o)); or

12 (II) with respect to which a cred-
13 it is allowable under section 42 of the
14 Internal Revenue Code of 1986 for
15 the taxable year in which the loan is
16 provided; and

17 (ii) for the purpose of—

18 (I) installing solar equipment
19 that benefits the dwelling unit of a
20 tenant;

21 (II) if necessary for the installa-
22 tion of solar equipment under sub-
23 clause (I), making any upgrade to the
24 building in which the dwelling unit is
25 located; and

1 (III) covering the cost of a com-
2 munity solar subscription.

3 (B) SAVINGS.—

4 (i) IN GENERAL.—An owner of a
5 building receiving a loan under this sub-
6 section shall—

7 (I) reduce the rent that each ten-
8 ant described in clause (ii) is required
9 to pay by an amount that is propor-
10 tional to the savings obtained through
11 any solar upgrades described in sub-
12 paragraph (A); and

13 (II) enter into an affordability
14 agreement with the Secretary to en-
15 sure that the rent of the tenant re-
16 mains affordable for the duration of
17 the tenancy.

18 (ii) TENANT DESCRIBED.—A tenant
19 referred to in clause (i) is a tenant that is
20 in a low-income household and occupying a
21 dwelling unit in the building, which dwell-
22 ing unit is affected by a solar upgrade de-
23 scribed in subparagraph (A).

24 (C) GUIDANCE; REGULATION.—The Sec-
25 retary shall—

- 1 (i) publish guidance on what con-
2 stitutes a benefit to the dwelling unit of a
3 tenant under subparagraph (A)(ii)(I); and
4 (ii) promulgate a regulation on the
5 manner in which a community solar sub-
6 scription under subparagraph (A)(ii)(III)
7 shall be managed.

8 (c) COMMUNITY SOLAR PROJECTS.—The Secretary
9 shall establish a program under which the Secretary shall
10 make grants for community solar projects—

11 (1) to be used for costs associated with inter-
12 connection of the community solar project, including
13 application fees, interconnection fees, engineering re-
14 views, and other associated costs incurred during the
15 interconnection process;

16 (2) to be used for costs associated with up-
17 grades to a distribution system, if the distribution
18 system requires service or new equipment to accom-
19 modate the installation of the community solar
20 project; and

21 (3) led by nonprofit organizations to support
22 the implementation of the projects for low-income
23 households.

24 (d) MINORITY AND WOMAN-OWNED BUSINESSES.—
25 The Secretary shall, to the maximum extent practicable,

1 contract with minority or women-owned businesses for the
2 deployment of solar projects that are financed pursuant
3 to this section.

4 (e) SOLAR WORKFORCE PROGRAM.—

5 (1) DEFINITIONS.—In this subsection:

6 (A) ELIGIBLE PARTICIPANT.—The term
7 “eligible participant” means an individual who
8 is a member of an underrepresented group, in-
9 cluding—

10 (i) an individual who is a religious, ra-
11 cial, or ethnic minority;

12 (ii) a woman;

13 (iii) a veteran;

14 (iv) an individual with a disability;

15 (v) an unemployed energy worker;

16 (vi) an energy worker employed by a
17 fossil fuel industry who is being
18 transitioned away from that industry be-
19 cause of a State renewable program or
20 Federal program, as determined by the
21 Secretary;

22 (vii) a socioeconomically disadvan-
23 taged individual; and

24 (viii) a formerly incarcerated indi-
25 vidual.

1 (B) LOCAL WORKFORCE DEVELOPMENT
2 BOARD; STATE WORKFORCE DEVELOPMENT
3 BOARD.—The terms “local workforce develop-
4 ment board” and “State workforce development
5 board” have the meanings given the terms
6 “local board” and “State board”, respectively,
7 in section 3 of the Workforce Innovation and
8 Opportunity Act (29 U.S.C. 3102).

9 (C) PROGRAM PARTNER.—The term “pro-
10 gram partner” means—

11 (i) a business;

12 (ii) an employer or industry associa-
13 tion;

14 (iii) a labor management organization;

15 (iv) a local workforce development
16 board or State workforce development
17 board;

18 (v) a 2- or 4-year institution of higher
19 education that offers an educational pro-
20 gram leading to an associate’s or bach-
21 elor’s degree in conjunction with a certifi-
22 cate of completion of an apprenticeship or
23 other training program;

24 (vi) the Armed Forces (including the
25 National Guard and the Army Reserve);

- 1 (vii) a nonprofit organization;
- 2 (viii) a community-based organization;
- 3 and
- 4 (ix) an economic development agency.

5 (2) ESTABLISHMENT.—The Secretary shall es-
6 tablish a solar workforce program to assist eligible
7 participants in pursuing careers in the solar energy
8 industry, including as—

- 9 (A) solar photovoltaic system installers;
- 10 (B) solar technicians;
- 11 (C) electrical system inspectors; and
- 12 (D) other professionals in the solar indus-
13 try, as determined by the Secretary.

14 (3) COURSES.—In carrying out the program es-
15 tablished under paragraph (2), the Secretary shall
16 create courses or seek to administer existing courses
17 that provide—

- 18 (A) job training, including through intern-
19 ships and work-based training in accordance
20 with paragraph (4);
- 21 (B) employment skills training; and
- 22 (C) comprehensive support services that—
23 (i) enhance the training experience
24 and promote the professional development
25 of participants; and

1 (ii) help participants transition into
2 the workforce.

3 (4) COURSE PARTNERS.—To the maximum ex-
4 tent practicable, the Secretary shall partner with
5 program partners to provide internships and work-
6 based training as part of the job training offered
7 under paragraph (3)(A).

8 (5) EXAM REQUIREMENT.—As a requirement
9 for completing a course under paragraph (3), the
10 Secretary shall require each participant in the
11 course to earn an applicable industry-recognized
12 entry-level certificate or other credential, as deter-
13 mined by the Secretary.

14 (f) GUARANTEE OF LOANS FOR ACQUISITION OF
15 PROPERTY.—Section 108 of the Housing and Community
16 Development Act of 1974 (42 U.S.C. 5308) is amended
17 by striking “or (6)” and inserting “(6) the installation of
18 solar energy equipment; or (7)”.

19 (g) POWER PURCHASE AGREEMENTS FOR PUBLIC
20 HOUSING AGENCIES.—Section 6 of the United States
21 Housing Act of 1937 (42 U.S.C. 1437d) is amended by
22 adding at the end the following:

23 “(u) POWER PURCHASE AGREEMENTS.—

24 “(1) IN GENERAL.—Each contract for contribu-
25 tions for a public housing agency shall provide that

1 the agency may enter into third-party power pur-
2 chase agreements with third-party providers for a
3 period of not more than 20 years, in addition to a
4 2-year option period, for the installation of solar en-
5 ergy equipment in public housing projects.

6 “(2) UTILITIES.—With respect to tenant-paid
7 utilities, any solar rate savings from a power pur-
8 chase agreement that may result in rebates to a
9 family shall not be used in the calculation of lower
10 utility allowances for the family that results in an
11 increase in the rent paid by the family.”

12 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
13 authorized to be appropriated to the Secretary to carry
14 out this section and the amendments made by this section
15 \$240,000,000 for each of fiscal years 2020 through 2024.

16 **SEC. 5. RULEMAKING RELATING TO UTILITY ALLOWANCES.**

17 (a) DEFINITIONS.—In this section, the term “covered
18 housing” means—

19 (1) public housing, as defined in section 3(b) of
20 the United States Housing Act of 1937 (42 U.S.C.
21 1437a(b)); and

22 (2) tenant-based assistance provided under sec-
23 tion 8(o) of such Act (42 U.S.C. 1437f(o)).

24 (b) RULEMAKING.—The Secretary of Housing and
25 Urban Development shall promulgate regulations to pro-

1 vide that, with respect to covered housing, any solar rate
2 savings for a dwelling unit that is associated with this Act
3 or an amendment made by this Act shall not be used in
4 the calculation of lower utility allowances for a family that
5 results in an increase in the rent paid by the family.

○