

JAN 24 2019

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# A BILL FOR AN ACT

RELATING TO ROOFTOP SOLAR INSTALLATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that rooftop solar  
2 photovoltaics are an important part of Hawaii's one hundred per  
3 cent renewable energy target. Similar to the requirement of  
4 installing a solar water heater system for all new construction  
5 of single-family dwellings under section 196-6.5, Hawaii Revised  
6 Statutes, adding a rooftop solar energy generation system  
7 requirement for new, single-family homes will help Hawaii  
8 achieve its renewable energy goals. This solar installation  
9 requirement will help reduce Hawaii's dependence on nonrenewable  
10 energy sources and lead to a more sustainable future.

11           The legislature also finds that adding a solar energy  
12 generation system during the construction phase significantly  
13 reduces the system installation cost for homeowners versus  
14 adding solar photovoltaics post-construction. Additionally,  
15 solar installation during construction allows home buyers to  
16 finance systems at traditional, low mortgage rates.



1           The legislature further finds that Hawaii policymakers and  
2 utilities have identified distributed energy resources, such as  
3 customer-sited solar photovoltaics and battery energy storage  
4 systems, as key technologies that enable Hawaii residents and  
5 businesses to benefit from and contribute to the State's  
6 transition to a resilient, affordable, and one hundred per cent  
7 clean, electric power system. Furthermore, the federal solar  
8 tax credit, also known as the investment tax credit, will expire  
9 on December 31, 2021, for residential solar energy systems,  
10 which may have the effect of de-incentivizing the installation  
11 of rooftop solar photovoltaics.

12           The purpose of this Act is to require the installation of  
13 rooftop solar energy generation systems on new single-family  
14 homes beginning on January 1, 2022, to make Hawaii less  
15 dependent on nonrenewable energy sources and increase solar  
16 energy use in the State.

17           SECTION 2. Chapter 196, Hawaii Revised Statutes, is  
18 amended by adding a new section to part I to be appropriately  
19 designated and to read as follows:

20           "§196-     Rooftop solar installation required for new  
21 single-family residential construction. (a) On or after



1 January 1, 2022, no building permit shall be issued for a new  
2 single-family dwelling that does not include a rooftop solar  
3 energy generation system, unless the coordinator approves a  
4 variance. A variance application shall only be accepted if  
5 submitted by an architect or mechanical engineer licensed under  
6 chapter 464, who attests that:

- 7       (1) Installation is impracticable due to poor solar  
8       resource;  
9       (2) Installation is cost-prohibitive based upon a life  
10       cycle cost-benefit analysis that incorporates the  
11       average residential utility bill and the cost of the  
12       new rooftop solar energy generation system with a life  
13       cycle that does not exceed fifteen years; or  
14       (3) A renewable energy technology system, as defined in  
15       section 235-12.5, is substituted for use as the  
16       primary energy source for electricity.

17       (b) A request for a variance shall be submitted to the  
18 coordinator on an application prescribed by the coordinator and  
19 shall include a description of the location of the property and  
20 justification for the approval of a variance using the criteria  
21 established in subsection (a). A variance shall be deemed



1 approved if not denied within sixty working days after receipt  
2 of the variance application. The coordinator shall publicize:

3 (1) All applications for a variance within seven calendar  
4 days after receipt of the variance application; and

5 (2) The disposition of all applications for a variance  
6 within seven calendar days of the determination of the  
7 variance application.

8 (c) The director of business, economic development, and  
9 tourism may adopt rules pursuant to chapter 91 to impose and  
10 collect fees to cover the costs of administering variances under  
11 this section. The fees, if any, shall be deposited into the  
12 energy security special fund established under section 201-12.8.

13 (d) Nothing in this section shall preclude any county from  
14 establishing procedures and standards required to implement this  
15 section.

16 (e) Nothing in this section shall preclude participation  
17 in any utility demand-side management program or public benefits  
18 fee program under part VII of chapter 269."

19 SECTION 3. New statutory material is underscored.

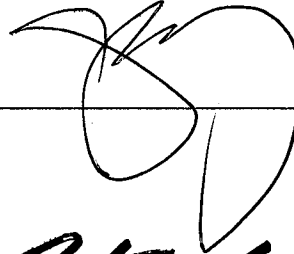
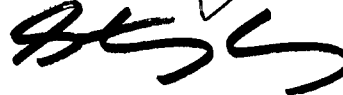

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1 SECTION 4. This Act shall take effect upon its approval.

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# S.B. NO. 1289

**Report Title:**

Rooftop Solar Installation; New Residential Construction Requirement

**Description:**

Requires a rooftop solar energy generation system to be installed on all new single-family residential dwellings that are not granted a variance beginning on 1/1/2022.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

