A BILL FOR AN ACT

RELATING TO ROOFTOP SOLAR INSTALLATION.

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

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

The legislature also finds that adding a solar energy generation system during the construction phase significantly reduces the system installation cost for homeowners versus adding solar photovoltaics post-construction. Additionally, solar installation during construction allows home buyers to finance systems at traditional, low mortgage rates.
The legislature further finds that Hawaii policymakers and utilities have identified distributed energy resources, such as customer-sited solar photovoltaics and battery energy storage systems, as key technologies that enable Hawaii residents and businesses to benefit from and contribute to the State's transition to a resilient, affordable, and one hundred per cent clean, electric power system. Furthermore, the federal solar tax credit, also known as the investment tax credit, will expire on December 31, 2021, for residential solar energy systems, which may have the effect of de-incentivizing the installation of rooftop solar photovoltaics.

The purpose of this Act is to prohibit the issuance of building permits beginning on January 1, 2022, for new single-family dwellings that do not include a rooftop solar energy generation system, unless a variance is granted.

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

"§196- Rooftop solar installation required for new single-family residential construction. (a) On or after January 1, 2022, no building permit shall be issued for a new
single-family dwelling that is part of a development of twenty
or more dwellings and does not include a rooftop solar energy
generation system, unless the coordinator approves a variance.
A variance application shall only be accepted if submitted by an
architect or electrical engineer licensed under chapter 464, who
attests that:

(1) Installation is impracticable due to poor solar
resource;

(2) Installation is cost-prohibitive based upon a life
cycle cost-benefit analysis that incorporates the
average residential utility bill and the cost of the
new rooftop solar energy generation system with a life
cycle that does not exceed twenty years; or

(3) A renewable energy technology system, as defined in
section 235-12.5, is substituted for use as the
primary energy source for electricity.

(b) A request for a variance shall be submitted to the
coordinator on an application prescribed by the coordinator and
shall include a description of the location of the property and
justification for the approval of a variance using the criteria
established in subsection (a). A variance shall be deemed
approved if not denied within sixty working days after receipt of the variance application. The coordinator shall publicize:

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

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

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

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

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

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect on June 18, 2050.
Report Title:
Rooftop Solar Installation; New Residential Construction Requirement

Description:
Prohibits the issuance of building permits beginning on January 1, 2022, for new single-family dwellings that are part of a development of twenty or more dwellings and do not include a rooftop solar energy generation system, unless a variance is granted. Takes effect on 6/18/2050. (SD2)

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