

1 S 752. SUSTAINABLE ENERGY LOAN PROGRAM. 1. (A) EACH MUNICIPALITY SHALL
2 OFFER A SUSTAINABLE ENERGY LOAN TO HOMEOWNERS FOR THE FINANCING OF THE
3 INSTALLATION OF DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES OR ENER-
4 GY EFFICIENCY IMPROVEMENTS THAT ARE PERMANENTLY FIXED TO THE RESIDENTIAL
5 PROPERTY.

6 (B) SUCH LOAN SHALL ONLY BE AVAILABLE TO OWNERS OF DEVELOPED RESIDEN-
7 TIAL PROPERTY THAT ARE UNDERGOING CAPITAL UPGRADES OR IMPROVEMENTS.

8 (C) SUCH LOANS SHALL NOT BE AVAILABLE TO FINANCE PARCELS UNDERGOING
9 DEVELOPMENT.

10 2. THE LOAN REFERENCED IN SUBDIVISION ONE OF THIS SECTION SHALL BE
11 REPAYED BY THE HOMEOWNER THROUGH A CONTRACTUAL ASSESSMENT LEVIED ON THE
12 PROPERTY WHERE THE SUSTAINABLE ENERGY LOAN WAS RECEIVED AND APPLIED.

13 3. THE MUNICIPALITY SHALL DISTRIBUTE INFORMATION TO HOMEOWNERS AND
14 REPORT TO THE LEGISLATURE, IDENTIFYING THE FOLLOWING INFORMATION:

15 (A) THE KINDS OF DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES OR
16 ENERGY EFFICIENCY IMPROVEMENTS THAT MAY BE FINANCED THROUGH THE USE OF
17 CONTRACTUAL ASSESSMENTS;

18 (B) IDENTIFICATION OF THE MUNICIPAL OFFICIAL AUTHORIZED TO ENTER INTO
19 CONTRACTUAL ASSESSMENTS ON BEHALF OF THE MUNICIPALITY;

20 (C) A MAXIMUM AGGREGATE DOLLAR AMOUNT OF CONTRACTUAL ASSESSMENTS;

21 (D) A METHOD FOR SETTING REQUESTS FROM PROPERTY OWNERS FOR FINANCING
22 THROUGH CONTRACTUAL ASSESSMENTS IN PRIORITY ORDER, IN THE EVENT THAT
23 REQUESTS APPEAR LIKELY TO EXCEED THE AUTHORIZATION AMOUNT; AND

24 (E) A PLAN FOR RAISING A CAPITAL AMOUNT REQUIRED TO PAY FOR WORK
25 PERFORMED PURSUANT TO CONTRACTUAL ASSESSMENTS INCLUDING:

26 (1) AMOUNTS TO BE ADVANCED BY THE MUNICIPALITY THROUGH FUNDS AVAILABLE
27 TO IT FROM ANY SOURCE,

28 (2) A STATEMENT OF OR METHOD FOR DETERMINING THE INTEREST RATE AND
29 TIME PERIOD DURING WHICH CONTRACTING RESIDENTIAL PROPERTY OWNERS WOULD
30 PAY AN ASSESSMENT, AND

31 (3) A PLAN FOR RESERVE FUND OR FUNDS AND THE APPORTIONMENT OF ALL OR
32 ANY PORTION OF THE COSTS INCIDENTAL TO FINANCING, ADMINISTRATION, AND
33 COLLECTION OF THE CONTRACTUAL ASSESSMENT PROGRAM AMONG CONSENTING RESI-
34 DENTIAL PROPERTY OWNERS AND THE MUNICIPALITY.

35 4. THE APPROPRIATE MUNICIPAL OFFICIAL SHALL ENTER INTO CONSULTATIONS
36 WITH THE COUNTY TAX ASSESSOR'S OFFICE TO REACH AN AGREEMENT CONCERNING
37 THE ADDITIONAL FEES, IF ANY, THAT WILL BE CHARGED FOR INCORPORATING THE
38 PROPOSED CONTRACTUAL ASSESSMENTS INTO THE ASSESSMENTS OF THE GENERAL
39 TAXES OF THE COUNTY ON RESIDENTIAL REAL PROPERTY, AND A PLAN FOR FINANC-
40 ING THE PAYMENT OF THOSE FEES.

41 5. THE MUNICIPALITY SHALL IMPLEMENT REPORTING MECHANISMS TO SHOW INDIV-
42 IDUALS OF THE STATE, AND THE LEGISLATURE, WHERE THE INSTALLATION OF
43 DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES OR ENERGY EFFICIENCY
44 IMPROVEMENTS ARE BEING MADE BY HOMEOWNERS WITHIN THE COUNTY.

45 6. THE AGGREGATE AMOUNT OF EACH SUSTAINABLE ENERGY LOAN PROVIDED BY
46 THE MUNICIPALITY SHALL NOT EXCEED THE COST OF THE EQUIPMENT AND MATERI-
47 ALS NECESSARY FOR THE INSTALLATION OF DISTRIBUTED GENERATION RENEWABLE
48 ENERGY SOURCES OR ENERGY EFFICIENCY IMPROVEMENTS PLUS THE COSTS FOR
49 INSTALLATION OF SUCH EQUIPMENT.

50 7. CONTRACTUAL ASSESSMENTS LEVIED PURSUANT TO THIS SECTION, AND THE
51 INTEREST AND ANY PENALTIES THEREON, SHALL CONSTITUTE A LIEN AGAINST THE
52 PARCELS OF LAND ON WHICH THEY ARE MADE UNTIL THEY ARE PAID.

53 S 753. STATE CAPITAL GRANTS AND/OR LOANS TO ASSIST THE SUSTAINABLE
54 ENERGY LOAN PROGRAM. 1. THE STATE SHALL MAKE OR CONTRACT TO MAKE A STATE
55 CAPITAL GRANT AND/OR LOAN, WITHIN APPROPRIATIONS THEREFOR, TO A MUNICI-
56 PALITY TO ASSIST IN MEETING THE COST AND PLANS FOR THE SUSTAINABLE ENER-

1 GY LOAN PROGRAM ESTABLISHED BY SECTION SEVEN HUNDRED FIFTY-TWO OF THIS
2 ARTICLE, INCLUDING THE ADMINISTRATIVE AND OTHER RELATED EXPENDITURES TO
3 BE INCURRED IN UNDERTAKING SUCH LOAN PROGRAM.

4 2. (A) ALL CONTRACTS FOR STATE CAPITAL GRANTS AND/OR LOANS ISSUED
5 PURSUANT TO THIS SECTION SHALL BE SUBJECT TO APPROVAL BY THE STATE COMP-
6 TROLLER, AND BY THE ATTORNEY GENERAL AS TO FORM.

7 (B) ADVANCES OR PROGRESS PAYMENTS MAY BE MADE ON ACCOUNT OF ANY STATE
8 CAPITAL GRANT AND/OR LOAN CONTRACTED TO BE MADE PURSUANT TO THIS SECTION
9 AND SUCH ADVANCES OR PAYMENTS SHALL NOT CONSTITUTE PERIODIC SUBSIDIES.

10 3. ANY SUCH STATE CAPITAL GRANT AND/OR LOAN SHALL BE IN SUCH AMOUNT,
11 WITHIN APPROPRIATIONS THEREFOR, AS THE COMMISSIONER, IN HIS OR HER
12 DISCRETION, MAY DEEM NECESSARY TO ASSIST THE MUNICIPALITY IN DISCHARGING
13 ITS OBLIGATIONS IN CONNECTION WITH THE SUSTAINABLE ENERGY LOAN PROGRAM
14 FOR WHICH THE GRANT AND/OR LOAN SHALL BE MADE.

15 S 2. This act shall take effect on the first of January next succeed-
16 ing the date on which it shall have become a law. Provided, however,
17 that effective immediately the addition, amendment and/or repeal of any
18 rule or regulation necessary for the implementation of this act on its
19 effective date is authorized and directed to be made and completed on or
20 before such effective date.