



1 2. "RENEWABLE ENERGY SOURCES" SHALL MEAN THE PRODUCTION OF ENERGY  
2 THROUGH HYDRO, SOLAR, GEOTHERMAL, BIOMASS, AND WIND SOURCES.

3 S 797. SUSTAINABLE ENERGY LOAN PROGRAM. 1. (A) EACH MUNICIPALITY SHALL  
4 OFFER A SUSTAINABLE ENERGY LOAN TO HOMEOWNERS FOR THE FINANCING OF THE  
5 INSTALLATION OF DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES OR ENER-  
6 GY EFFICIENCY IMPROVEMENTS THAT ARE PERMANENTLY FIXED TO THE RESIDENTIAL  
7 PROPERTY.

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

10 (C) SUCH LOANS SHALL NOT BE AVAILABLE TO FINANCE PARCELS UNDERGOING  
11 DEVELOPMENT.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

55 S 798. STATE CAPITAL GRANTS AND/OR LOANS TO ASSIST THE SUSTAINABLE  
56 ENERGY LOAN PROGRAM. 1. THE STATE SHALL MAKE OR CONTRACT TO MAKE A STATE

1 CAPITAL GRANT AND/OR LOAN, WITHIN APPROPRIATIONS THEREFOR, TO A MUNICI-  
2 PALITY TO ASSIST IN MEETING THE COST AND PLANS FOR THE SUSTAINABLE ENER-  
3 GY LOAN PROGRAM ESTABLISHED BY SECTION SEVEN HUNDRED NINETY-SEVEN OF  
4 THIS ARTICLE, INCLUDING THE ADMINISTRATIVE AND OTHER RELATED EXPENDI-  
5 TURES TO BE INCURRED IN UNDERTAKING SUCH LOAN PROGRAM.

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

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

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

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