

AMENDED IN SENATE JUNE 28, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1881

Introduced by Assembly Member Pescetti
(Principal coauthor: Senator Murray)

February 4, 2002

An act to amend Section 14684 of the Government Code, as added by Chapter 10 of the Statutes of the 2001–02 Second Extraordinary Session, and to amend Section 1 of Chapter 10 of the Statutes of the 2001–02 Second Extraordinary Session, relating to solar energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 1881, as amended, Pescetti. Solar energy systems: solar thermal energy.

Chapter 10 of the Statutes of the 2001–02 Second Extraordinary Session (Chapter 10), which will become operative 91 days following the adjournment of that session, will require, upon the operative date of that chapter, the Department of General Services, in consultation with the State Energy Resources Conservation and Development Commission, to ensure that solar energy equipment, as defined, is installed, no later than January 1, 2007, on all state buildings and state parking facilities where feasible, as defined. Chapter 10 also will require solar energy equipment to be installed where feasible as part of the construction of all state buildings and state parking facilities that commences after December 31, 2002.

This bill would modify the definition of feasible to require installation of solar energy equipment if there is adequate space adjacent to a building in addition to on a building.

The bill would require any solar energy equipment installed to meet applicable standards and requirements imposed by state and local permitting authorities, including certification by the Solar Rating Certification Corporation and other applicable safety and performance standards. The bill would clarify that funding would be required to be available for the installation of energy equipment to be feasible.

Chapter 10 will define cost-effective and requires the department to take into consideration air emission reduction benefits in its present value assessment for cost-effectiveness.

This bill would also require the department to take into consideration the value of stable energy costs for cost-effectiveness.

Chapter 10 will define solar energy equipment as equipment whose primary purpose is to provide for the collection, conversion, storage, or control of solar energy for electricity generation.

This bill would additionally include within the definition of solar energy equipment, equipment whose primary purpose is to provide for the collection, conversion, storage, or control of solar energy for the purpose of heat production.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1 of Chapter 10 of the Statutes of the
- 2 2001–02 Second Extraordinary Session is amended to read:
- 3 Sec. 1. The Legislature finds and declares all of the following:
- 4 (a) California is experiencing severe electrical shortages,
- 5 which endanger the health, safety, and economic development
- 6 opportunity of its citizens. California is also experiencing natural
- 7 gas shortages and price volatility that adversely affect electricity
- 8 price and availability.
- 9 (b) Immediate measures are needed to increase the electrical
- 10 generation capacity within California, including energy from solar
- 11 energy systems, and to reduce the consumption of natural gas for
- 12 purposes other than the generation of electricity within California.
- 13 (c) California has been a leader in the development of solar
- 14 energy systems.
- 15 (d) California must take all reasonable actions necessary to
- 16 encourage the use of solar energy systems at state buildings and
- 17 facilities.



1 SEC. 2. Section 14684 of the Government Code, as added by
2 Chapter 10 of the Statutes of the 2001–02 Second Extraordinary
3 Session, is amended to read:

4 14684. (a) The department, in consultation with the State
5 Energy Resources Conservation and Development Commission,
6 shall ensure that solar energy equipment is installed, no later than
7 January 1, 2007, on all state buildings and state parking facilities,
8 where feasible. The department shall establish a schedule
9 designating when solar energy equipment will be installed on each
10 building and facility, with priority given to buildings and facilities
11 where installation is most feasible, both for state building and
12 facility use and consumption and local publicly owned electric
13 utility use, where feasible.

14 (b) Solar energy equipment shall be installed where feasible as
15 part of the construction of all state buildings and state parking
16 facilities that commences after December 31, 2002.

17 (c) For purposes of this section, it is feasible to install solar
18 energy equipment if adequate space on or adjacent to a building is
19 available, if the solar energy equipment is cost-effective, and if
20 funding is available.

21 (d) *Any solar energy equipment installed pursuant to this*
22 *section shall meet applicable standards and requirements imposed*
23 *by state and local permitting authorities, including, but not limited*
24 *to, all of the following:*

25 (1) *Certification by the Solar Rating Certification*
26 *Corporation, which is a nonprofit third party supported by the*
27 *Department of Energy, or any other nationally recognized*
28 *certification agency.*

29 (2) *All applicable safety and performance standards*
30 *established by the National Electrical Code, the Institute of*
31 *Electrical and Electronics Engineers, and accredited testing*
32 *laboratories, such as the Underwriters Laboratories.*

33 (3) *Where applicable, the regulations adopted by the Public*
34 *Utilities Commission regarding safety and reliability.*

35 (e) No part of this section may be construed to exempt the state
36 from any applicable fee or requirement imposed by the Public
37 Utilities Commission.

38 ~~(e)~~

39 (f) The department may adopt regulations for the purposes of
40 this section as emergency regulations in accordance with Chapter



1 3.5 (commencing with Section 11340) of Part 1. For purposes of
 2 Chapter 3.5 (commencing with Section 11340) of Part 1,
 3 including, but not limited to, Section 11349.6, the adoption of the
 4 regulations shall be considered by the Office of Administrative
 5 Law to be necessary for the immediate preservation of the public
 6 peace, health, safety, and general welfare. Notwithstanding the
 7 120-day limit specified in subdivision (e) of Section 11346.1, the
 8 regulations shall be repealed 180 days after their effective date,
 9 unless the department complies with Chapter 3.5 (commencing
 10 with Section 11340) of Part 1 as provided in subdivision (e) of
 11 Section 11346.1.

12 ~~(f)~~

13 (g) For purposes of this section, the following terms have the
 14 following meanings:

15 (1) “Cost-effective” means that the present value of the
 16 savings generated over the life of the solar energy system,
 17 including consideration of the value of the energy produced during
 18 peak and off-peak demand periods and the value of a reliable
 19 energy supply not subject to price volatility, shall exceed the
 20 present value cost of the solar energy equipment by not less than
 21 10 percent. The present value cost of the solar energy equipment
 22 does not include the cost of unrelated building components. The
 23 department, in making the present value assessment, shall obtain
 24 interest rates, discount rates, and consumer price index figures
 25 from the Treasurer, and shall take into consideration air emission
 26 reduction benefits and the value of stable energy costs.

27 (2) “Local publicly owned electric utility” means a local
 28 publicly owned electric utility as defined in subdivision (d) of
 29 Section 9604 of the Public Utilities Code.

30 (3) “Solar energy equipment” means equipment whose
 31 primary purpose is to provide for the collection, conversion,
 32 storage, or control of solar energy for the purpose of heat
 33 production or electricity generation.

34 SEC. 3. Sections 1 and 2 of this act shall become operative
 35 only if Chapter 10 of the Statutes of the 2001–02 Second
 36 Extraordinary Session becomes operative, in which case Sections
 37 1 and 2 shall become operative consistent with Section 8 of Article
 38 IV of the California Constitution.

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