

AMENDED IN SENATE JULY 17, 2001

AMENDED IN SENATE JULY 3, 2001

CALIFORNIA LEGISLATURE—2001-02 SECOND EXTRAORDINARY SESSION

SENATE BILL

No. 82

Introduced by Senator Murray
(Coauthors: Senators *Bowen, Chesbro* and, *Soto, and Speier*)

June 4, 2001

An act to amend Section 14073 of the Corporations Code, and to add Section 14684 to the Government Code, relating to solar energy.

LEGISLATIVE COUNSEL'S DIGEST

SB 82, as amended, Murray. Solar energy systems.

(1) The California Small Business Financial Development Corporation Law provides for the creation of small business financial development corporations by the Technology, Trade, and Commerce Agency. These corporations are authorized to make loans and loan guarantees to small businesses for various purposes, including loans for energy efficiency improvement. Existing law continuously appropriates the money in the California Small Business Expansion Fund.

This bill would specifically identify solar energy systems as energy efficiency improvements for which these corporations may grant loans. The bill would specify the minimum and maximum amounts for a loan, and would require the Energy Resources Conservation and Development Commission, in cooperation with the California Office of Small Business Development, to establish criteria and procedures



applicable to loans for solar energy systems made under these provisions.

(2) Existing law establishes in state government the Department of General Services, which has various responsibilities related to planning, acquisition, construction, and maintenance of state buildings and property. Existing law also establishes in the Resources Agency the Energy Resources Conservation and Development Commission, which has various responsibilities related to energy conservation.

This bill would require the department, in consultation with the commission, to ensure that solar energy equipment is installed, no later than January 1, 2007, on all state buildings and state parking facilities where feasible, as specified. It also would require solar energy equipment to be installed as part of the construction of all state buildings and state parking facilities that commences after December 31, 2002.

~~This bill would require the Director of General Services to provide for an expedited competitive bidding process, not to exceed 30 days, for a solar energy equipment project. The bill would declare that solar energy equipment installation on state buildings and state parking facilities is a state energy project within the meaning of specified provisions of the Government Code, and would authorize the department to expend specified funds for these purposes.~~

The bill would authorize the department to adopt emergency regulations, as specified for the purposes of the bill.

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. The Legislature finds and declares all of the
- 2 following:
- 3 (a) California is experiencing severe electrical shortages,
- 4 which endanger the health, safety, and economic development
- 5 opportunity of its citizens.
- 6 (b) Immediate measures are needed to increase the electrical
- 7 generation capacity within California, including energy from solar
- 8 energy systems.
- 9 (c) California has been a leader in the development of solar
- 10 energy systems.
- 11 (d) California must take all reasonable actions necessary to
- 12 encourage the use of solar energy systems at places of business.



1 SEC. 2. Section 14073 of the Corporations Code is amended
2 to read:

3 14073. (a) Corporations may grant loans for energy
4 efficiency improvements, including solar energy systems.

5 (b) The minimum amount that may be approved for a loan for
6 a solar energy system is eight thousand dollars (\$8,000) and the
7 maximum amount is one million dollars (\$1,000,000).

8 (c) The Energy Resources Conservation and Development
9 Commission, in cooperation with the office, shall establish criteria
10 and procedures applicable to loans for solar energy systems made
11 by corporations under this section.

12 (d) “Solar energy system” means any new, previously unused
13 solar energy device whose primary purpose is to provide for the
14 collection, conversion, transfer, distribution, storage, or control of
15 solar energy for ~~water heating or electricity generation~~, and that
16 meets applicable standards and requirements imposed by state and
17 local permitting authorities, including, but not limited to, the
18 ~~National Electric Code. Solar energy systems for water heating~~
19 ~~purposes shall be certified by the Solar Rating and Certification~~
20 ~~Corporation or any other nationally recognized certification~~
21 ~~agency that certifies complete systems. Major components of solar~~
22 *National Electric Code. Major components of solar* energy
23 systems for electricity generation shall be certified by a certified
24 testing agency, such as the Underwriters Laboratory.

25 SEC. 3. Section 14684 is added to the Government Code, to
26 read:

27 14684. (a) Subject to subdivision (b), the department, in
28 consultation with the Energy Resources Conservation and
29 Development Commission, shall ensure that solar energy
30 equipment is installed, no later than January 1, 2007, on all state
31 buildings and state parking facilities, where feasible. The
32 department shall establish a schedule designating when solar
33 energy equipment will be installed on each building and facility,
34 with priority given to buildings and facilities where installation is
35 most feasible, both for state building and facility use and
36 consumption and local publicly owned electric utility use, where
37 feasible.

38 (b) Solar energy equipment shall be installed as part of the
39 construction of all state buildings and state parking facilities that
40 commences after December 31, 2002.



1 (c) For purposes of this section, it is feasible to install solar
2 energy equipment if rooftop space on a building or parking facility
3 is relatively unencumbered and receives sufficient sunshine to
4 generate solar energy, taking into consideration geographic
5 location, efficiency, and life cycle cost analysis *and if adequate*
6 *funding is available.*

7 ~~(d) The director shall provide for an expedited competitive~~
8 ~~bidding process, not to exceed 30 days, for a project described in~~
9 ~~this section to install solar energy equipment that reduces peak~~
10 ~~electricity demand or that helps to avoid electrical shortages or~~
11 ~~blackouts.~~

12 ~~(e)~~

13 (d) No part of this section shall be construed to exempt the state
14 from any applicable fee or requirement imposed by the Public
15 Utilities Commission.

16 ~~(f) The Legislature finds and declares that the installation of~~
17 ~~solar energy equipment on state buildings and state parking~~
18 ~~facilities as described in this section is a state energy project within~~
19 ~~the meaning of Chapter 3.5 (commencing with Section 4240) of~~
20 ~~Division 5 of Title 1. The department may expend funds~~
21 ~~appropriated pursuant to subdivision (f) of Section 5 of Chapter 7~~
22 ~~of the Statutes of the 2001-02 First Extraordinary Session for~~
23 ~~purposes of this section.~~

24 ~~(g)~~

25 (e) *The department may adopt regulations for the purposes of*
26 *this section as emergency regulations in accordance with Chapter*
27 *3.5 (commencing with Section 11340) of Part 1. For purposes of*
28 *Chapter 3.5 (commencing with Section 11340) of Part 1,*
29 *including, but not limited to, Section 11349.6, the adoption of the*
30 *regulations shall be considered by the Office of Administrative*
31 *Law to be necessary for the immediate preservation of the public*
32 *peace, health, safety, and general welfare. Notwithstanding the*
33 *120-day limit specified in subdivision (e) of Section 11346.1, the*
34 *regulations shall be repealed 180 days after their effective date,*
35 *unless the department complies with Chapter 3.5 (commencing*
36 *with Section 11340) of Part 1 as provided in subdivision (e) of*
37 *Section 11346.1.*

38 (f) For purposes of this section, the following terms have the
39 following meanings:



1 (1) “Local publicly owned electric utility” means a local
2 publicly owned electric utility as defined in Section 9604 of the
3 Public Utilities Code.

4 (2) “Solar energy equipment” means equipment ~~that enables~~
5 ~~the use of solar energy as an alternative to, and in order to reduce~~
6 ~~the use of, fossil or nuclear fuels or water from established sources~~
7 ~~of supply.~~ *whose primary purpose is to provide for the collection,*
8 *conversion, storage, or control of solar energy for electricity*
9 *generation.*

O

