

AMENDED IN ASSEMBLY MAY 16, 2005

AMENDED IN ASSEMBLY MAY 2, 2005

AMENDED IN ASSEMBLY APRIL 18, 2005

AMENDED IN ASSEMBLY APRIL 6, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

## ASSEMBLY BILL

**No. 1383**

**Introduced by Assembly Member Pavley  
(Coauthors: Assembly Members Hancock, Jerome Horton,  
Levine, Mullin, Salinas, and Torrico)**

February 22, 2005

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~~An act to add and repeal Chapter 5.6 (commencing with Section 25460) of Division 15 of the Public Resources Code, and to add and repeal Section 379.9 of the Public Utilities Code, relating to energy.~~  
*An act to amend Section 25401.6 of the Public Resources Code, relating to energy.*

### LEGISLATIVE COUNSEL'S DIGEST

AB 1383, as amended, Pavley. ~~Solar energy: Low-Income Housing Development Revolving Loan Program.~~ *Electricity: distributed emerging technologies: rebates.*

~~(1) Existing law establishes various revolving loan programs to provide loans for specified purposes, including recycling market development and renewable energy resources. Existing law requires the State Energy Resources Conservation and Development Commission (Energy Commission) to transfer funds collected for in-state operation and development of existing and new and emerging renewable resources technologies into the Renewable Resource Trust Fund. Existing law requires that 17.5% of the funds collected to~~

*accomplish the funding of in-state operation and development of existing, new, and emerging renewable resources technologies be used for a multiyear, consumer-based program to foster the development of emerging renewable technologies in distributed generation applications by providing monetary rebates, buydowns, or equivalent incentives. Existing law requires the Energy Commission to establish a separate rebate for eligible distributed emerging technologies for affordable housing projects, and authorizes the Energy Commission to adjust the amount of the rebate based on the capacity of the system, if the commission determines the occupants should have individual meters, but allows the system to receive a rebate of the total installed costs.*

~~This bill would establish, until January 1, 2016, the Low-Income Housing Development Revolving Loan Program to subsidize the financing gap for distributed solar energy systems, as defined, in low-income housing units. The bill would create the Low-Income Housing Development Revolving Loan Fund (revolving loan fund) for the purpose of providing loans for program purposes.~~

*This bill would instead allow the rebate received for the system to be up to the total cost.*

~~The bill would require the Energy Commission to take various actions to establish the program upon the appropriation of money in the fund for that purpose in the annual Budget Act.~~

~~(2) Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical corporations.~~

~~This bill would require the PUC, in consultation with the Energy Commission, on or before July 1, 2006, to issue an order initiating an investigation and opening a ratemaking proceeding, or expanding the scope of an existing proceeding, to adopt and implement a program to invest in low-income residential housing solar energy systems pursuant to the program established by the bill, as provided.~~

~~The bill would require the Energy Commission to identify funds that are available in the current fiscal year in the Renewable Resource Trust Fund or in the next fiscal year, for transfer to the revolving loan fund for the program, if funds are not made available through the PUC ratemaking proceeding and if the Energy Commission makes specified determinations regarding those funds.~~

~~The bill would require the funds generated as a result of the ratemaking proceeding or so identified by the Energy Commission to be transferred to the revolving loan fund.~~

~~The bill would repeal these provisions on January 1, 2016.~~

~~(3) Existing law makes a violation of the Public Utilities Act or a violation of an order of the PUC a crime.~~

~~Because a provision of this bill would be part of the act and an order of the PUC would be required to implement that provision, and a violation of the provision of the bill that is part of the act or of any PUC order implementing that provision would be a crime, this bill would impose a state-mandated local program by creating new crimes.~~

~~(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

~~Vote: majority. Appropriation: no. Fiscal committee: yes.~~

~~State-mandated local program: yes/no.~~

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

1     SECTION 1. Section 25401.6 of the Public Resources Code is  
2     amended to read:

3     25401.6. (a) In its administration of Section 25744, the  
4     commission shall establish a separate rebate for eligible  
5     distributed emerging technologies for affordable housing projects  
6     including, but not limited to, projects undertaken pursuant to  
7     Section 50052.5, 50053, or 50199.4 of the Health and Safety  
8     Code. In establishing the rebate, where the commission  
9     determines that the occupants of the housing shall have  
10    individual meters, the commission may adjust the amount of the  
11    rebate based on the capacity of the system, provided that a  
12    system may receive a rebate ~~only up to 75 percent of~~ *not*  
13    ~~exceeding~~ the total installed costs. The commission may establish  
14    a reasonable limit on the total amount of funds dedicated for  
15    purposes of this section.

16    (b) It is the intent of the Legislature that this section fulfills the  
17    purpose of paragraph (5) of subdivision (b) of Section 25744.

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**All matter omitted in this version of the bill  
appears in the bill as amended in Assembly,  
May 2, 2005 (JR11)**

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