

Senate Bill No. 82

CHAPTER 10

An act to add Section 14684 to the Government Code, relating to solar energy.

[Approved by Governor October 5, 2001. Filed with Secretary of State October 7, 2001.]

LEGISLATIVE COUNSEL'S DIGEST

SB 82, 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 State 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 where feasible as part of the construction of all state buildings and state parking facilities that commences after December 31, 2002.

This bill would authorize the Director of General Services to exempt such a solar energy equipment project from specified advertising and competitive bidding requirements. 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 people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) California is experiencing severe electrical shortages, which endanger the health, safety, and economic development opportunity of its citizens.

(b) Immediate measures are needed to increase the electrical generation capacity within California, including energy from solar energy systems.

(c) California has been a leader in the development of solar energy systems.

(d) California must take all reasonable actions necessary to encourage the use of solar energy systems at state buildings and facilities.

SEC. 2. Section 14684 is added to the Government Code, to read:

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

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

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

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

(e) The department may adopt regulations for the purposes of this section as emergency regulations in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1. For purposes of Chapter 3.5 (commencing with Section 11340) of Part 1, including, but not limited to, Section 11349.6, the adoption of the regulations shall be considered by the Office of Administrative Law to be necessary for the immediate



preservation of the public peace, health, safety, and general welfare. Notwithstanding the 120-day limit specified in subdivision (e) of Section 11346.1, the regulations shall be repealed 180 days after their effective date, unless the department complies with Chapter 3.5 (commencing with Section 11340) of Part 1 as provided in subdivision (e) of Section 11346.1.

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

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

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

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

