

JAN 17 2020

---

---

# A BILL FOR AN ACT

RELATING TO PHOTOVOLTAIC ENERGY SYSTEMS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 196, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§196-     Photovoltaic energy system required for new  
5 single-family residential construction. (a) On or after  
6 January 1, 2025, no building permit shall be issued for a new  
7 single-family dwelling that does not include a photovoltaic  
8 energy system that meets the standards established pursuant to  
9 section 269-     , unless the chief energy officer of the Hawaii  
10 state energy office approves a variance. A variance application  
11 shall only be accepted if submitted by an architect or  
12 mechanical engineer licensed under chapter 464, who attests  
13 that:

- 14           (1) Installation is impracticable due to poor solar  
15           resource;
- 16           (2) Installation is cost-prohibitive based upon a life  
17           cycle cost-benefit analysis that incorporates the



1           average residential utility bill and the cost of the  
2           new photovoltaic energy system with a life cycle that  
3           does not exceed fifteen years; or

4           (3) A renewable energy technology system, as defined in  
5           section 235-12.5, is substituted for use as the  
6           primary energy source.

7           (b) A request for a variance shall be submitted to the  
8           chief energy officer of the Hawaii state energy office on an  
9           application prescribed by the chief energy officer of the Hawaii  
10           state energy office and shall include a description of the  
11           location of the property and justification for the approval of a  
12           variance using the criteria established in subsection (a). A  
13           variance shall be deemed approved if not denied within thirty  
14           working days after receipt of the variance application. The  
15           chief energy officer of the Hawaii state energy office shall  
16           publicize:

17           (1) All applications for a variance within seven days  
18           after receipt of the variance application; and

19           (2) The disposition of all applications for a variance  
20           within seven days of the determination of the variance  
21           application.



1        (c) The director of business, economic development, and  
2 tourism may adopt rules pursuant to chapter 91 to impose and  
3 collect fees to cover the costs of administering variances under  
4 this section. The fees, if any, shall be deposited into the  
5 energy security special fund established under section 201-12.8.

6        (d) Nothing in this section shall preclude any county from  
7 establishing procedures and standards required to implement this  
8 section.

9        (e) Nothing in this section shall preclude participation  
10 in any utility demand-side management program or public benefits  
11 fee program under part VII of chapter 269."

12        SECTION 2. Chapter 269, Hawaii Revised Statutes, is  
13 amended by adding a new section to be appropriately designated  
14 and to read as follows:

15        "§269-     Photovoltaic energy system standards. Not later  
16 than July 1, 2024, or as soon as reasonably practicable, the  
17 public utilities commission shall adopt or establish by rule,  
18 tariff, or order, standards for photovoltaic energy systems to  
19 include, but not be limited to specifications for the  
20 performance, materials, components, durability, longevity,



# S.B. NO. 2454

1 proper sizing, installation, and quality to promote the  
2 objectives of section 269-124."

3 SECTION 3. New statutory material is underscored.

4 SECTION 4. This Act shall take effect upon its approval.

5

INTRODUCED BY:

*Ron E. Bell*

*[Signature]*

*Diana [Signature]*

*[Signature]*

*[Signature]*

*Russell H. Bell*



# S.B. NO. 2454

**Report Title:**

Photovoltaic Energy System; Residential Construction

**Description:**

Requires the installation of photovoltaic energy systems in all new residential construction, beginning January 1, 2025. Allows for variances to be issued by the chief energy officer of the Hawaii state energy office.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

