

Honolulu, Hawaii

MAR 13 , 2020

RE: S.B. No. 1289  
S.D. 2  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committees on Energy & Environmental Protection and Housing, to which was referred S.B. No. 1289, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO ROOFTOP SOLAR INSTALLATION,"

beg leave to report as follows:

The purpose of this measure, beginning on January 1, 2022, is to prohibit the issuance of a building permit for a new single-family dwelling that is part of a development of twenty or more dwellings and does not include a rooftop solar energy generation system, unless a variance is granted.

Your Committees received testimony in support of this measure from Pono Hawaii Initiative, Climate Protectors Coalition, EcoTipping Points Project, Blue Planet Foundation, 350Hawaii.org, and nine individuals. Your Committees received testimony in opposition to this measure from the Building Industry Association Hawaii, Chamber of Commerce Hawaii, NAIOP Hawaii, D.R. Horton LLC, and Hawaii Association of REALTORS. Your Committees received comments on this measure from the Hawaii State Energy Office; Hawaiian Electric Company, Inc.; Hawaii PV Coalition; and Hawaii Solar Energy Association.

Your Committees find that rooftop solar energy generation systems should be cost-effective for consumers so that requiring



such systems for a new single-family dwelling, that is part of a development of twenty or more dwellings, does not have unintended adverse consequences to them, particularly for our most vulnerable communities.

Your Committees have amended this measure by:

- (1) Exempting from the rooftop solar installation requirement any single-family dwelling that is part of a development of twenty or more dwellings and is affordable to a household having an income of one hundred percent or less of the area median income as determined by the United States Department of Housing and Urban Development;
- (2) Allowing a variance application to be accepted if certain professionals attest that a rooftop photovoltaic energy generating system, rather than a renewable energy technology system, is substituted for use as the primary energy source for electricity;
- (3) Defining "rooftop photovoltaic energy generating system" to include any identifiable facility that utilizes electricity-generating photovoltaic modules mounted on a rooftop and reduces the use of other types of energy that are dependent upon fossil fuel;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1289, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1289, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

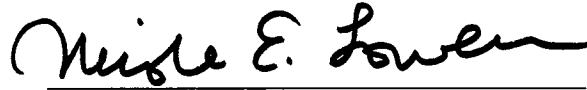


Respectfully submitted on  
behalf of the members of the  
Committees on Energy &  
Environmental Protection and  
Housing,



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TOM BROWER, Chair



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NICOLE E. LOWEN, Chair





