

SENATE BILL 717

C5
SB 1107/10 – FIN

11r0807
CF HB 933

By: **Senator Garagiola and the President (By Request – Administration) and Senators DeGrange, Klausmeier, Manno, Mathias, Middleton, Muse, Pinsky, Pugh, Raskin, Rosapepe, ~~and Young~~ Young, and Kelley**

Introduced and read first time: February 4, 2011

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 15, 2011

CHAPTER _____

1 AN ACT concerning

2 **Renewable Energy Portfolio Standard – Renewable Energy Credits – Solar**
3 **Water Heating Systems**

4 FOR the purpose of providing that energy from a certain solar water heating system is
5 eligible for inclusion in meeting the renewable energy portfolio standard;
6 providing that a person that owns and operates a certain solar water heating
7 system shall receive a certain renewable energy credit under certain
8 circumstances; requiring the total amount of energy generated and consumed by
9 a nonresidential or commercial solar water heating system to be measured by a
10 certain meter; requiring the total amount of energy generated and consumed by
11 a residential solar water heating system to be measured in a certain way;
12 prohibiting a residential solar water heating system from producing more than
13 a certain number of solar renewable energy credits in any one year; defining a
14 certain term; altering a certain definition; requiring that certain solar water
15 heating systems be installed in accordance with applicable State and local
16 plumbing codes; providing for the application of this Act; providing for a delayed
17 effective date; and generally relating to the eligibility of solar water heating
18 systems for inclusion in meeting the renewable energy portfolio standard.

19 BY repealing and reenacting, without amendments,
20 Article – Public Utilities
21 Section 7–701(a)
22 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2010 Replacement Volume)

2 BY adding to

3 Article – Public Utilities
4 Section 7–701(k–1) and 7–704(g)
5 Annotated Code of Maryland
6 (2010 Replacement Volume)

7 BY repealing and reenacting, with amendments,

8 Article – Public Utilities
9 Section 7–701(l)
10 Annotated Code of Maryland
11 (2010 Replacement Volume)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article – Public Utilities**

15 7–701.

16 (a) In this subtitle the following words have the meanings indicated.

17 **(K–1) (1) “SOLAR WATER HEATING SYSTEM” MEANS A SYSTEM THAT:**

18 **(I) IS COMPRISED OF GLAZED LIQUID–TYPE FLAT–PLATE**
19 **OR TUBULAR SOLAR COLLECTORS AS DEFINED AND CERTIFIED ~~AS~~ TO THE**
20 **OG–100 BY STANDARD OF THE SOLAR RATINGS AND CERTIFICATION**
21 **CORPORATION;**

22 **(II) GENERATES ENERGY USING SOLAR RADIATION FOR THE**
23 **PURPOSE OF HEATING WATER; AND**

24 **(III) DOES NOT FEED ELECTRICITY BACK TO THE ELECTRIC**
25 **GRID.**

26 **(2) “SOLAR WATER HEATING SYSTEM” DOES NOT INCLUDE A**
27 **SYSTEM THAT GENERATES ENERGY USING SOLAR RADIATION FOR THE SOLE**
28 **PURPOSE OF HEATING A HOT TUB OR SWIMMING POOL.**

29 (l) “Tier 1 renewable source” means one or more of the following types of
30 energy sources:

31 (1) solar ENERGY, INCLUDING ENERGY FROM PHOTOVOLTAIC
32 TECHNOLOGIES AND SOLAR WATER HEATING SYSTEMS;

- 1 (2) wind;
- 2 (3) qualifying biomass;
- 3 (4) methane from the anaerobic decomposition of organic materials in
4 a landfill or wastewater treatment plant;
- 5 (5) geothermal;
- 6 (6) ocean, including energy from waves, tides, currents, and thermal
7 differences;
- 8 (7) a fuel cell that produces electricity from a Tier 1 renewable source
9 under item (3) or (4) of this subsection;
- 10 (8) a small hydroelectric power plant of less than 30 megawatts in
11 capacity that is licensed or exempt from licensing by the Federal Energy Regulatory
12 Commission; and
- 13 (9) poultry litter-to-energy.

14 7-704.

15 **(G) (1) ENERGY FROM A SOLAR WATER HEATING SYSTEM IS ELIGIBLE**
16 **FOR INCLUSION IN MEETING THE RENEWABLE ENERGY PORTFOLIO STANDARD.**

17 **(2) A PERSON THAT OWNS AND OPERATES A SOLAR WATER**
18 **HEATING SYSTEM SHALL RECEIVE A RENEWABLE ENERGY CREDIT EQUAL TO**
19 **THE AMOUNT OF ENERGY, CONVERTED FROM BTUS TO KILOWATT-HOURS,**
20 **THAT IS GENERATED BY THE SYSTEM THAT IS USED BY THE PERSON FOR WATER**
21 **HEATING.**

22 **(3) THE TOTAL AMOUNT OF ENERGY GENERATED AND CONSUMED**
23 **FOR A NONRESIDENTIAL OR COMMERCIAL SOLAR WATER HEATING SYSTEM**
24 **SHALL BE MEASURED BY AN ON-SITE METER THAT:**

25 ~~**(H) MEETS THE REQUIRED PERFORMANCE STANDARDS OF**~~
26 ~~**THE INTERNATIONAL ORGANIZATION OF LEGAL METROLOGY, AND**~~

27 ~~**(H) IS CAPABLE OF PROVIDING ENERGY PRODUCTION DATA**~~
28 ~~**ONLINE TO THE COMMISSION.**~~

29 **(4) THE TOTAL AMOUNT OF ENERGY GENERATED AND CONSUMED**
30 **BY A RESIDENTIAL SOLAR WATER HEATING SYSTEM SHALL BE:**

31 **(I) MEASURED BY A METER THAT:**

1 ~~1.~~ MEETS THE REQUIRED STANDARDS OF THE
2 INTERNATIONAL ORGANIZATION OF LEGAL METROLOGY; ~~AND~~

3 ~~2. IS CAPABLE OF PROVIDING ENERGY PRODUCTION~~
4 ~~DATA ONLINE TO THE COMMISSION; OR~~

5 (II) 1. MEASURED BY THE SOLAR RATINGS AND
6 CERTIFICATION CORPORATION'S ~~OG-300 ANNUAL PRODUCTION ESTIMATE~~
7 THERMAL PERFORMANCE RATING FOR THE SYSTEM; AND

8 2. ~~OG-300~~ CERTIFIED ~~BY~~ TO THE OG-300
9 STANDARD OF THE SOLAR RATINGS AND CERTIFICATION CORPORATION.

10 (5) A RESIDENTIAL SOLAR WATER HEATING SYSTEM SHALL BE
11 INSTALLED IN ACCORDANCE WITH APPLICABLE STATE AND LOCAL PLUMBING
12 CODES.

13 (6) A RESIDENTIAL SOLAR WATER HEATING SYSTEM MAY NOT
14 PRODUCE MORE THAN FIVE SOLAR RENEWABLE ENERGY CREDITS IN ANY
15 1 YEAR.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply only
17 to solar water heating systems that are commissioned on or after June 1, 2011.

18 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 January 1, 2012.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.