

FIRST REGULAR SESSION

# HOUSE BILL NO. 911

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES HOLSMAN (Sponsor), LOW, FALLERT, FISCHER (107),  
SCHOELLER, ENGLUND, TALBOY, FLOOK, ATKINS, GRILL, LeVOTA, ROORDA, WEBBER,  
COLONA, WALTON GRAY AND OXFORD (Co-sponsors).

2048L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 640, RSMo, by adding thereto one new section relating to the solar and wind initiative program.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 640, RSMo, is amended by adding thereto one new section, to be  
2 known as section 640.695, to read as follows:

**640.695. 1. There is hereby established within the department the "Solar and Wind  
2 Incentive Program", which shall provide financial incentives for the purchase and  
3 installation of a solar photovoltaic system or wind turbine.**

4 **2. As used in this section, the following terms shall mean:**

5 (1) "Applicant", a person who is applying to participate in the program;

6 (2) "Department", the department of natural resources;

7 (3) "Program", the solar and wind incentive program;

8 (4) "Solar photovoltaic system", a device that converts sunlight into electrical  
9 current;

10 (5) "Wind turbine", a rotating machine which converts kinetic energy in wind into  
11 mechanical energy that generates under ten thousand kilowatts.

12 **3. Subject to appropriations from general revenue, the department shall provide  
13 assistance to those applicants who are residential owners of private property who install  
14 a solar photovoltaic system or wind turbine.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15           **4. A solar photovoltaic system or wind turbine qualifies for assistance under this**  
16 **section if:**

17           **(1) The system or turbine is installed by a state-licensed master electrician,**  
18 **electrical contractor, or solar contractor;**

19           **(2) The system or turbine complies with the state interconnection standards as**  
20 **provided by the public service commission; and**

21           **(3) The system or turbine complies with all applicable building codes.**

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23 **The local utility company shall certify that the requirements of this subsection have been**  
24 **met before any such assistance is given to an applicant.**

25           **5. To receive such assistance, an applicant shall apply to the department. If the**  
26 **solar photovoltaic system or wind turbine qualifies, an applicant shall receive fifty percent**  
27 **of the cost to install the solar photovoltaic system or wind turbine; however, such amount**  
28 **shall not exceed twelve thousand dollars for each applicant. Assistance shall be allowed**  
29 **once to an individual every three years. The total amount of assistance the department**  
30 **may give under this section shall not exceed five hundred thousand dollars per year. To**  
31 **receive such assistance, the applicant shall submit the receipt of installation along with the**  
32 **certification required in subsection 4 of this section to the department.**

33           **6. The department shall promulgate rules to implement the provisions of this**  
34 **section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,**  
35 **that is created under the authority delegated in this section shall become effective only if**  
36 **it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if**  
37 **applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**  
38 **and if any of the powers vested with the general assembly under chapter 536, RSMo, to**  
39 **review, to delay the effective date, or to disapprove and annul a rule are subsequently held**  
40 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**  
41 **after August 28, 2009, shall be invalid and void.**

42           **7. Pursuant to section 23.253, RSMo, of the Missouri Sunset Act:**

43           **(1) The provisions of the new program authorized under this section shall**  
44 **automatically sunset five years after the effective date of this section unless reauthorized**  
45 **by an act of the general assembly; and**

46           **(2) If such program is reauthorized, the program authorized under this section**  
47 **shall automatically sunset three years after the effective date of the reauthorization of this**  
48 **section; and**

49           **(3) This section terminates on September first of the calendar year immediately**  
50 **following the calendar year in which the program authorized under this section is sunset.**

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