

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—111th Cong., 2d Sess.**

**S. 3460**

To require the Secretary of Energy to provide funds to States for rebates, loans, and other incentives to eligible individuals or entities for the purchase and installation of solar energy systems for properties located in the United States, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT In the Nature of a Substitute intended to be  
proposed by \_\_\_\_\_

Viz:

1 Strike all after the enacting clause and insert the fol-  
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “10 Million Solar Roofs  
5 Act of 2010”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **ELIGIBLE PARTICIPANT.**—The term “eligi-  
9 ble participant” means—

10 (A) an owner of a home;

- 1 (B) a business entity;
- 2 (C) a local educational agency; and
- 3 (D) any other individual or entity that the
- 4 Secretary determines to be appropriate.

5 (2) INDIAN TRIBE.—The term “Indian tribe”

6 has the meaning given the term in section 4 of the

7 Indian Self-Determination and Education Assistance

8 Act (25 U.S.C. 450b).

9 (3) INSTALLED NAMEPLATE CAPACITY.—The

10 term “installed nameplate capacity” means the max-

11 imum output of a solar electric system under specific

12 conditions designated by the manufacturer of the

13 solar electric system.

14 (4) LOCAL EDUCATIONAL AGENCY.—The term

15 “local educational agency” has the meaning given

16 the term in section 9101 of the Elementary and Sec-

17 ondary Education Act of 1965 (20 U.S.C. 7801).

18 (5) SECRETARY.—The term “Secretary” means

19 the Secretary of Energy.

20 (6) SOLAR ENERGY SYSTEM.—The term “solar

21 energy system” means rooftop or ground-mounted

22 solar equipment—

- 23 (A) that is used to generate electricity or
- 24 heat water; and

1 (B) with an installed nameplate capacity  
2 not exceeding 1 megawatt or the thermal equiv-  
3 alent of 1 megawatt.

4 **SEC. 3. REBATES, LOANS, AND OTHER INCENTIVES FOR**  
5 **PURCHASE AND INSTALLATION OF SOLAR**  
6 **ENERGY SYSTEMS.**

7 (a) IN GENERAL.—As soon as practicable after the  
8 date of enactment of this Act, the Secretary shall establish  
9 a program under which the Secretary shall provide com-  
10 petitive grants to States, Indian tribes, and local govern-  
11 ments to provide rebates, loans, or other incentives to eli-  
12 gible participants for the purchase and installation of solar  
13 energy systems for properties located in the United States.

14 (b) IMPLEMENTATION.—

15 (1) COMPETITIVE GRANTS.—

16 (A) IN GENERAL.—For each fiscal year,  
17 the Secretary shall provide competitive grants  
18 to States, Indian tribes, and local governments  
19 to be used in accordance with this section.

20 (B) REQUIREMENTS.—The Secretary shall  
21 adopt and implement criteria for awarding com-  
22 petitive grants under subparagraph (A) to  
23 States, Indian tribes, and local governments  
24 that would—

1 (i) provide the maximum leverage of  
2 Federal funds;

3 (ii) provide for the maximum deploy-  
4 ment of solar energy;

5 (iii) ensure that grants are awarded to  
6 a diversity of geographic locations and re-  
7 cipients with different population sizes;

8 (iv) provide not less than 2 percent of  
9 the funds available to Indian tribes and  
10 consortia of Indian tribes; and

11 (v) provide a preference for grant re-  
12 cipients that have established and main-  
13 tained, or agree to commit to establish and  
14 maintain, standards and policies to over-  
15 come barriers to distributed generation (in-  
16 cluding interconnection and net metering)  
17 in a manner consistent with the legal au-  
18 thorities of the grant recipient.

19 (2) AUTHORIZED USE OF FUNDS.—Subject to  
20 subsection (c), competitive grants provided under  
21 this section may be used to expand an existing, or  
22 establish and fund a new—

23 (A) solar rebate program;

24 (B) solar loan program;

1 (C) solar performance-based incentive pro-  
2 gram; or

3 (D) solar incentive program, solar deploy-  
4 ment program or project, or innovative solar fi-  
5 nancing program not described in subpara-  
6 graphs (A) through (C), as determined by the  
7 Secretary.

8 (3) PROGRAM REQUIREMENTS.—For each fiscal  
9 year during which a grant recipient uses funds pro-  
10 vided under this section, the grant recipient shall—

11 (A) certify to the Secretary that the funds  
12 will be used—

13 (i) to supplement, expand, or create  
14 new programs or projects and will not sup-  
15 plant existing programs as to maximize  
16 program participation; and

17 (ii) to deploy an increased quantity of  
18 solar energy systems; and

19 (B) submit to the Secretary an implemen-  
20 tation plan that contains—

21 (i) projections for solar energy sys-  
22 tems deployment;

23 (ii) data regarding the number of eli-  
24 gible participants that are assisted under

1 existing applicable State and local pro-  
2 grams; and

3 (iii) projections for—

4 (I) additional solar energy system  
5 deployment; and

6 (II) the number of additional eli-  
7 gible participants who will be covered  
8 by the annual implementation plan.

9 (c) SOLAR ENERGY SYSTEM.—With respect to grant  
10 awards in any fiscal year under this section, the Secretary  
11 may specify the type and capacity of the solar energy sys-  
12 tem and type of deployment or incentive program for  
13 which the grant funds are made available.

14 (d) NON-FEDERAL SHARE.—Each eligible entity that  
15 receives funds under this section shall be responsible for  
16 an amount equal to 20 percent of the amount of the pro-  
17 vided funds.

18 (e) ADMINISTRATIVE EXPENSES.—

19 (1) IN GENERAL.—Not more than 5 percent of  
20 the amounts made available for each fiscal year  
21 under this section may be used to pay the adminis-  
22 trative expenses of the Department of Energy that  
23 the Secretary determines to be necessary to carry  
24 out this Act (including expenses arising from moni-  
25 toring and evaluation).

1           (2) ELIGIBLE ENTITIES; OTHER GRANT RECIPI-  
2           ENTS.—Grant recipients may use amounts made  
3           available for each fiscal year under this section to  
4           pay for administrative expenses in accordance with  
5           section 545(b)(3)(A) of the Energy Independence  
6           and Security Act of 2007 (42 U.S.C.  
7           17155(b)(3)(A)).

8           (f) RELATIONSHIP TO OTHER LAW.—An eligible par-  
9           ticipant that receives a rebate under this section shall not  
10          be eligible for a rebate under section 206(c) of the Energy  
11          Policy Act of 2005 (42 U.S.C. 15853).

12          (g) COORDINATION; CONSULTATION.—To the max-  
13          imum extent practicable, the Secretary shall consult with  
14          the Secretary of the Treasury and the Chief Executive of  
15          each grant recipient that receives funds under this section  
16          to ensure that each program carried out by each grant  
17          recipient through the use of the funds is coordinated with  
18          each other applicable incentive or financing program of the  
19          Federal Government or any other applicable program.

20          (h) MAXIMUM INCENTIVE.—

21               (1) IN GENERAL.—With respect to each rebate,  
22               grant, and tax credit provided to an eligible partici-  
23               pant under this section, the aggregate value of the  
24               grants, rebates, and tax credits may not exceed 50

1           percent of the cost to the purchaser of the purchase  
2           and installation of the solar energy system.

3           (2) EFFECT.—Nothing in this subsection af-  
4           fects any solar loan or financing program under this  
5           section or any other law (including regulations).

6           (i) GOAL.—It is the goal of the United States,  
7           through this Act and any appropriate incentive or research  
8           and development program, to install distributed solar en-  
9           ergy systems on not less than 10,000,000 properties lo-  
10          cated in the United States by December 31, 2021.

11          (j) REPORT REGARDING ADDITIONAL RECOMMENDA-  
12          TIONS.—Not later than 270 days after the date of enact-  
13          ment of this Act, the Secretary shall submit to the Com-  
14          mittee on Energy and Natural Resources of the Senate  
15          and the Committee on Energy and Commerce of the  
16          House of Representatives a report that contains additional  
17          recommendations that the Secretary determines to be nec-  
18          essary to achieve the goal described in subsection (i), in-  
19          cluding any modification to the program established under  
20          subsection (a).

21          (k) AUTHORIZATION OF APPROPRIATIONS.—There  
22          are authorized to be appropriated to the Secretary to carry  
23          out this section—

24                 (1) for fiscal year 2012, \$250,000,000; and

- 1           (2) for each of fiscal years 2013 through 2021,
- 2           such sums as are necessary.

Amend the title so as to read: “A bill to require the Secretary of Energy to provide competitive grants to States, Indian tribes, and local governments for rebates, loans, and other incentives to eligible individuals or entities for the purchase and installation of solar energy systems for properties located in the United States, and for other purposes.”.