

FIRST REGULAR SESSION

# HOUSE BILL NO. 1133

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES HOLSMAN (Sponsor), SATER, SCHIEFFER, STORCH, WETER,  
ATKINS, WALTON GRAY, OXFORD, CARTER AND TALBOY (Co-sponsors).

2007L.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 solar water heating systems.

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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 640.698, to read as follows:

**640.698. 1. This section shall be known and may be cited as the "Solar Water  
2 Heating System Incentive Program", which shall provide financial incentives for the  
3 purchase and installation of solar water heating systems in private residences.**

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

5 **(1) "Homebuilder" or "homebuilders", a person, commercial firm, or company  
6 whose occupation is to build private residences;**

7 **(2) "Homeowner" or "homeowners", one who owns a private residence;**

8 **(3) "Private residence" or "private residences", the place in which a homeowner  
9 lives or resides.**

10 **3. Subject to appropriations from the general assembly, the department of natural  
11 resources shall provide an incentive to a homeowner or a homebuilder for the purchase  
12 and installation of a solar water heating system in a private residence.**

13 **4. A solar water heating system qualifies for an incentive under this section if:**

14 **(1) The homeowner or homebuilder provides proof-of-purchase of the solar water  
15 heating system;**

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.

16           (2) The homeowner or homebuilder provides proof that the solar water heating  
17 system was installed in conformity with the manufacturer's specifications and all  
18 applicable codes and standards;

19           (3) The solar water heating system's components are new and unused and have not  
20 previously been placed in service in any other location or for any other homeowner or  
21 homebuilder;

22           (4) The solar water heating system has a warranty of not less than two years to  
23 protect against defects and undue degradation;

24           (5) The solar water heating system has been installed in a private residence;

25           (6) The solar water heating system conforms to any other applicable requirements  
26 as determined by the department of natural resources.

27           5. To receive an incentive under this section, a homeowner or homebuilder shall  
28 apply to the department of natural resources. If the solar water heating system qualifies,  
29 the homeowner or homebuilder shall receive an incentive in the amount of five hundred  
30 dollars. One five hundred dollar incentive shall be allowed per homeowner per year, and  
31 three five hundred dollar incentives shall be allowed per homebuilder per year. Incentives  
32 under this subsection shall not exceed one hundred thousand dollars in any given year.

33           6. Incentives to qualifying homeowners or homebuilders shall be dispersed in  
34 January, March, May, July, and September, but no more than forty incentives shall be  
35 dispersed in each month provided in this subsection.

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

45           8. Under section 23.253, RSMo, of the Missouri Sunset Act:

46           (1) The provisions of the new program authorized under this section shall  
47 automatically sunset six years after the effective date of this section unless reauthorized by  
48 an act of the general assembly; and

49           (2) If such program is reauthorized, the program authorized under this section  
50 shall automatically sunset twelve years after the effective date of the reauthorization of this  
51 section; and

52           **(3) This section shall terminate on September first of the calendar year immediately**  
53 **following the calendar year in which the program authorized under this section is sunset.**

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