

HCS SB 820 -- RENEWABLE ENERGY

SPONSOR: Burlison (Haffner)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Downsizing State Government by a vote of 13 to 0. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 11 to 0.

The following is a summary of the House Committee Substitute for SB 820.

NET METERING (Sections 386.885 and 386.890)

This bill establishes the Task Force on Distributed Energy Resources and Net Metering, to conduct hearings and research information related to net metering as specified in the bill. The Task Force shall submit a report to the General Assembly by December 31, 2023. The Task Force shall dissolve on December 31, 2023, or when the Task Force concludes its work, whichever is sooner.

The bill modifies the definitions of "department", which is changed from the Department of Economic Development to the Department of Natural Resources, and "retail electric supplier", to include municipally-owned utilities.

The sale of qualified electric energy units to any customer-generator shall be subject to provisions of law related to consumer protection.

RESTRICTIVE COVENANTS - RENEWABLE ENERGY (Section 442.404)

This bill specifies that no deed restriction, covenant, or similar binding agreement running with the land shall limit or prohibit the installation of solar panels or solar collectors, as defined in the bill, on the rooftop of any property or structure.

A homeowners' association may adopt reasonable rules regarding the placement of solar panels or solar collectors to the extent those rules do not prevent the installation of the device or adversely affect its functioning, use, cost, or efficiency.

These provisions shall apply only with regard to rooftops that are owned, controlled, and maintained by the owner of the individual property or structure.

These provisions have a delayed effective date of January 1, 2023.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the Senate Perfected version of the bill.

PROPOSERS: Supporters say that anyone should be given the opportunity to use solar panels. Supporters also say it is ok to have rules for where the panels can go, but there should never be a complete ban on solar panels.

Testifying for the bill were Senator Burlison; Grace Tedder, EFS Energy; Missouri Solar Energy Industries Association; Sierra Club Missouri Chapter; Arnie C. Dienoff; Tamara Rae Szabo; Frances Babb; Missouri Solar Energy Industries Association; and Melissa Vatterott, Missouri Coalition For The Environment.

OPPOSERS: Those who oppose the bill say that this could take too much power away from homeowners' associations.

Testifying against the bill were Charles (Ted) Jaenke; Elia Ellis; Patrick McClanahan; Phyllis; and Jim Durham, Community Association Institute.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.