

**2019 -- S 0661 SUBSTITUTE A**

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LC002060/SUB A/2  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2019**

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A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- DISTRIBUTED GENERATION  
INTERCONNECTION

Introduced By: Senators Sosnowski, McCaffrey, Conley, Lombardo, and Coyne

Date Introduced: March 21, 2019

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1           SECTION 1. Chapter 42-140 of the General Laws entitled "Rhode Island Energy  
2 Resources Act" is hereby amended by adding thereto the following sections:

3           **42-140-11.1. Comprehensive solar energy siting ordinances by municipalities.**

4           (a) No later than April 30, 2020, all cities and towns shall each have adopted or updated  
5 existing comprehensive solar siting ordinances addressing roof, carport and ground mounted solar  
6 systems.

7           (b) Municipalities shall provide their first-time or updated draft comprehensive solar  
8 siting ordinances to the office of energy resources and the division of statewide planning no later  
9 than January 31, 2020, for the state agencies to review. The office of energy resources shall notify  
10 the municipal official within five (5) business days of receipt of the drafted or updated ordinance  
11 and shall provide written feedback to the municipality within thirty (30) business days. The office  
12 of energy resources shall review drafted ordinances in coordination with the state building code  
13 commission and fire safety code board of appeal to ensure consistency with state building,  
14 electric and fire code law as defined in § 23-27.3 and the state's renewable energy generation and  
15 interconnection laws as defined in chapters 26, 26.3, 26.4 and 26.6 of title 39.

16           (c) A municipality which does not adopt a comprehensive solar siting ordinance by April  
17 30, 2020, may be denied access to the state renewable energy growth and renewable energy fund  
18 programs that are associated with solar systems that are twenty-five kilowatts (25kw) or higher

1 until the municipality has adopted a comprehensive solar siting ordinance.

2 (d) The determination on access to the state renewable programs associated with solar  
3 systems shall be made by the commissioner of the office of energy resources in consultation with  
4 the division of statewide planning. The determination by the office of energy resources shall be  
5 limited to whether the new or updated comprehensive solar siting ordinance is consistent with  
6 state building, electrical and fire codes and renewable generation laws and regulations. In order  
7 to avoid losing access to the state renewable energy programs associated with solar systems the  
8 municipality shall submit an explanation for delay in adopting or updating its comprehensive  
9 solar siting ordinance to the office of energy resources and division of statewide planning within  
10 forty-five (45) business days of the April 30, 2020, deadline, with an actionable plan to adopt a  
11 comprehensive solar siting ordinance. This section shall not apply to any projects or active  
12 systems that have submitted interconnection applications or have been awarded tariffs or grants  
13 by the state or electric distribution company on or before April 30, 2020.

14 (e) All adopted municipal comprehensive solar siting ordinances shall be posted on the  
15 office of energy resources' website. Any updates made by a municipality to its comprehensive  
16 solar siting ordinance in the future shall be provided to the office of energy resources for posting  
17 within thirty (30) days of passage of ordinance updates by the municipality.

18 (f) The office of energy resources shall maintain and publish a list of municipalities in  
19 compliance with this section and those that are not in compliance. The list shall be sent to the  
20 governor, the president of the senate, and the speaker of the house by May 15, 2020.

21 **42-140-11.2. Technical assistance to municipalities.**

22 The office of energy resources and division of statewide planning shall, upon request,  
23 provide technical assistance to any municipality in the development of its renewable energy siting  
24 ordinances.

25 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- DISTRIBUTED GENERATION  
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- 1           This act would require municipalities to adopt comprehensive solar siting ordinances
- 2   addressing both roof, carport and ground mounted solar systems.
- 3           This act would take effect upon passage.

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