

Solar: Action Bills 3-21-2022

Composite [view](#) with notes

Bills	Committee	Last action	Date
HB 73 - Ware - Electric utilities; definitions, aggregate capacity requirements for renewable energy facilities.	(H) Committee on Commerce and Energy <hr/> (S) Committee on Commerce and Labor	(S) Passed by indefinitely in Commerce and Labor (9-Y 5-N)	02/28/22
<p>notes: O.</p> <p>The bill removes aggregate capacity requirements for renewable energy generating facilities, including facilities utilizing energy derived from sunlight, onshore wind, and offshore wind.</p> <p>This bill is part of a package of bills to repeal parts of the VCEA.</p>			
HB 74 - Ware - Va. Clean Economy Act; non-bypassable charges, energy-intensive trade-exposed (EITE) industries	(H) Committee on Commerce and Energy <hr/> (S) Committee on Commerce and Labor	(S) Passed by indefinitely in Commerce and Labor (12-Y 2-N)	02/28/22
<p>notes: O.</p> <p>Defines energy-intensive trade- exposed (EITE) industries as companies that are constrained in their ability to pass through carbon costs due to international competition, companies that engage in importation of products that cause emission leakage, and critical infrastructure facilities identified by certain federal agencies. The bill directs the State Corporation Commission to establish an EITE customer exemption Pilot Program for non-bypassable charges in certain provisions of the Virginia Clean Economy Act related to generation of electricity from renewable and zero carbon sources and development of offshore wind capacity by January 1, 2023.</p> <p>This bill is part of a package of bills to repeal parts of the VCEA.</p>			
HB 118 - Freitas - Electric utilities; regulation, development of renewable energy facilities.	(H) Committee on Commerce and Energy <hr/> (S) Committee on Commerce and Labor	(S) Passed by indefinitely in Commerce and Labor (12-Y 3-N)	02/28/22
<p>notes: O.</p> <p>This bill is part of a package of bills to repeal parts of the VCEA. This bill would repeal the VCEA and start over again.</p>			
HB 172 - Marshall - Solar projects and energy storage projects; siting agreements with host localities.	(H) Committee on Commerce and Energy	(H) Left in Commerce and Energy	02/15/22

notes: Amend.

This bill was designed to require view shed protection through the Siting Agreement.

This bill was stricken at the request of the patron.

HB 202 - Webert - Solar facilities; permit by rule.	(H) Committee on Agriculture, Chesapeake and Natural Resources	(H) Left in Agriculture, Chesapeake and Natural Resources	02/15/22
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notes: O.

Lowers from 150 to 20 megawatts the maximum generation capacity of an electrical generation facility that generates electricity only from sunlight to qualify for issuance of a permit by rule.

This bill was part of a package of legislation to repeal parts of the VCEA.

HB 206 - Webert - Small renewable energy projects; impact on natural resources, report.	(H) Committee on Agriculture, Chesapeake and Natural Resources <hr/> (S) Committee on Agriculture, Conservation and Natural Resources	(S) Signed by President	03/11/22
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notes: O.

This legislation was part of the package of bills to repeal parts of the VCEA.

Due to the complexities of this bill, a separate summary outside Lobbyist in a Box has been prepared so CHESSA members can use the summary in discussions with local governments on land use cases.

HB 266 - Head - Electric cooperatives; net energy metering, power purchase agreements, etc.	(H) Committee on Commerce and Energy <hr/> (S) Committee on Commerce and Labor	(G) Governor's Action Deadline 11:59 p.m., April 11, 2022	03/11/22
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notes: Amend.

Permits any customer, besides a farm or small agricultural generating facility and any customer selling power to the electric cooperative, to interconnect with an electric cooperative and enter an agreement for local facilities usage charges. The bill provides that electric cooperatives can seek approval from the State Corporation Commission at any time for a tariff for local facilities usage charges for the use of cooperative system facilities; however, the terms of an independent agreement for local facilities usage charges shall prevail if inconsistent with the approved tariff amount.

This was a negotiated compromise between solar and the electric cooperatives.

This bill is identical to SB 505.

This legislation is on its way to the Governor.

HB 272 - Marshall - Local land use approvals; extension of approvals to address the COVID-19 pandemic.

(H) Committee on Counties, Cities and Towns

(S) Committee on Local Government

(G) Governor's Action
Deadline 11:59 p.m., April 11, 2022

03/11/22

notes: S.

Extends from July 1, 2022, to July 1, 2023, the sunset date for various local land use approvals that were valid and outstanding as of July 1, 2020. The bill also provides that its provisions shall not be construed to extend previous extensions related to the COVID-19 housing crisis.

Identical to SB 501.

HB 379 - Sullivan - Energy benchmarking; access to data on energy usage in certain buildings, civil penalty.

(H) Committee on Commerce and Energy

(H) Left in Commerce and Energy

02/15/22

notes: O. This bill is dead for this Session.

HB 393 - Willett - Water quality; consideration of economic or social development.

(H) Committee on Agriculture, Chesapeake and Natural Resources

(H) Left in Agriculture, Chesapeake and Natural Resources

02/15/22

notes: O. This bill is dead for this Session.

HB 396 - Sullivan - Electric utilities; municipal net energy metering.

(H) Committee on Commerce and Energy

(S) Committee on Commerce and Labor

(S) Signed by President

03/10/22

notes: S. This bill is in the process of being sent to the Governor.

HB 405 - Ballard - Business park electric transmission infrastructure pilot program; location of qualifying projects.

(H) Committee on Commerce and Energy

(S) Committee on Commerce and Labor

(S) Signed by President

03/10/22

notes: Monitor. This bill is in the process of being sent to the Governor.

HB 471 - Subramanyam - State agencies and localities; solar-ready roof requirements, etc.

(H) Committee on General Laws

(H) Left in General Laws

02/15/22

notes: S. This bill is dead for this Session.

HB 479 - Bulova - Wetland and stream mitigation credits; dam removal credits.	(H) Committee on Agriculture, Chesapeake and Natural Resources	(H) Left in Agriculture, Chesapeake and Natural Resources	02/15/22
notes: S. This bill is dead for this Session.			
HB 490 - Freitas - Public utility ratemaking; contracting with small, women-owned, or minority-owned businesses.	(H) Committee on Commerce and Energy	(H) Stricken from docket by Commerce and Energy (21-Y 0-N)	02/01/22
notes: O. This bill is dead for this Session.			
HB 520 - Bulova - Climate resilience; locality's comprehensive plan to consider strategies to address.	(H) Committee on Counties, Cities and Towns	(H) Left in Counties, Cities and Towns	02/15/22
notes: M . This bill is dead for this Session.			
HB 541 - Convirs-Fowler - Trees; conservation during land development process, authorized localities.	(H) Committee on Counties, Cities and Towns	(H) Left in Counties, Cities and Towns	02/15/22
notes: O. This bill is dead for this Session.			
HB 558 - O'Quinn - Natural gas, biogas, and other gas sources of energy; definitions, energy conservation.	(H) Committee on Commerce and Energy <hr/> (S) Committee on Commerce and Labor	(G) Governor's Action Deadline 11:59 p.m., April 11, 2022	03/11/22
<p>notes: S.</p> <p>Permits natural gas utilities to include in their fuel portfolios, submitted to the State Corporation Commission to monitor fuel prices and purchases, supplemental or substitute forms of gas sources, defined in the bill, that meet certain standards and that reduce emissions intensity.</p> <p>This is a bill requested by the natural gas companies to better use biogas.</p> <p>This bill is on its way to the Governor.</p> <p>This bill is identical to SB 565.</p>			
HB 568 - Kory - Green banks; regional agreements.	(H) Committee on Counties, Cities and Towns	(H) Left in Counties, Cities and Towns	02/15/22
notes: S. This bill is dead for this Session.			

HB 588 - Hudson - Electric utilities; adjustment of rates.	(H) Committee on Commerce and Energy	(H) Stricken from docket by Commerce and Energy (20-Y 0-N)	01/25/22
notes: M. This bill is dead for this Session.			
HB 626 - Roem - Disclosure in land use proceedings; statewide application.	(H) Committee on Counties, Cities and Towns	(H) Failed to report (defeated) in Counties, Cities and Towns (11-Y 11-N)	02/11/22
notes: O. This bill is dead for this Session.			
HB 657 - Wampler - Waste coal piles; Department of Energy to identify volume & number, use of coal as.	(H) Committee on Commerce and Energy <hr/> (S) Committee on Finance and Appropriations	(S) Conference report agreed to by Senate (40-Y 0-N)	03/11/22
<p>notes: M.</p> <p>Directs the Department of Energy, in cooperation with the public institutions of higher education serving the coalfield region of the Commonwealth, to identify the approximate volume and number of waste coal piles present in the coalfield region of the Commonwealth and options for cleaning up such waste coal piles.</p> <p>One of the goals is to explore how to locate solar generation on waste coal piles.</p> <p>This bill is on the way to the Governor.</p> <p>Identical to SB 120.</p>			
HB 724 - Gooditis - Electric cooperatives; net energy metering for agricultural customer-generators, report.	(H) Committee on Commerce and Energy	(H) Left in Commerce and Energy	02/15/22
notes: O. This bill is dead for this Session.			
HB 774 - Hodges - Renewable energy facilities; SCC shall create a task force.	(H) Committee on Commerce and Energy <hr/> (S) Committee on Commerce and Labor	(G) Governor's Action Deadline 11:59 p.m., April 11, 2022	03/11/22
<p>notes: Amend.</p> <p>The patron of this bill worked with solar to amend language about which we had concerns.</p> <p>Directs the State Corporation Commission, in consultation with the Department of Energy and the Department of Environmental Quality, to create a task force to analyze the life cycle of renewable energy facilities in the Commonwealth. The State Corporation</p>			

Commission shall report the findings of the task force to the Governor and the Chairs of the House Committee on Agriculture, Chesapeake and Natural Resources and the Senate Committee on Agriculture, Conservation and Natural Resources by May 1, 2023.

This bill is on its way to the Governor.

This bill is identical to SB 499.

HB 792 - LaRock - Nutrient credit trading; adjacent hydrologic unit code.	(H) Committee on Agriculture, Chesapeake and Natural Resources	(H) Left in Agriculture, Chesapeake and Natural Resources	02/15/22
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notes: O. This bill is dead for this Session.

HB 832 - Wilt - Electric utilities; shared solar programs.	(H) Committee on Commerce and Energy	(H) Left in Commerce and Energy	02/15/22
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notes: S.

HB 839 - Wilt - Electric utilities; recovery of costs, rate adjustment clause proceedings, etc.	(H) Committee on Commerce and Energy	(H) Continued to 2023 in Commerce and Energy	01/25/22
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notes: O/Amend into a Section One bill? This bill is dead for this session.

HB 892 - Kilgore - Regional Greenhouse Gas Initiative (RGGI); preexisting contracts.	(H) Committee on Commerce and Energy <hr/> (S) Committee on Finance and Appropriations	(S) Passed by indefinitely in Finance and Appropriations (9-Y 6-N)	03/01/22
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notes: O. This bill is dead for this Session.

HB 894 - Kilgore - Advanced small modular reactors; Department of Energy to study development in the Commonwealth.	(H) Committee on Appropriations <hr/> (S) Committee on Finance and Appropriations	(S) Signed by President	03/11/22
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notes: O/Amend.

The bill directs the Department of Energy to study the development of advanced small modular reactors in the Commonwealth and consider minimizing impacts on prime farmland a key priority in completing its Virginia Energy Plan, to direct the Virginia Cooperative Extension (VCE) to create a map or repository of prime farmland in the Commonwealth, and to direct the State Corporation Commission to develop a program to encourage and expedite infrastructure investments by investor-owned electric utilities in certain industrial sites.

DOE study will be coordinated with the DEQ study under HB 206.

This bill is on its way to the Governor.

HB 903 - Lopez - Virginia Green Infrastructure Bank; created.	(H) Committee on Commerce and Energy	(H) Left in Commerce and Energy	02/15/22
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notes: S, This bill is dead for this Session.

HB 1016 - Marshall - Local land use approvals; extension of approvals to address the COVID-19 pandemic.	(H) Committee on Counties, Cities and Towns	(H) Stricken from docket by Counties, Cities and Towns (22-Y 0-N)	01/28/22
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notes: S. This bill was stricken because it was a duplicate bill with HB 272.

HB 1087 - Leftwich - Solar photovoltaic projects; local taxation for projects less than five megawatts.	(H) Committee on Finance (S) Committee on Finance and Appropriations	(G) Governor's Action Deadline 11:59 p.m., April 11, 2022	03/11/22
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notes: S. (CHESSA bill). This bill is on its way to the Governor.

HB 1185 - Bourne - Tax, local; solar facility exemption, effective date.	(H) Committee on Finance	(H) VOTE: DEFEATED (44-Y 53-N)	02/11/22
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notes: S. While this bill was killed on the House floor, SB 686 was amended and passed the House and Senate. These pieces of legislation were requested by SEIA. SB 686 is on its way to the Governor.

HB 1204 - Kilgore - Renewable energy certificates; priority of procurement.	(H) Committee on Commerce and Energy (S) Committee on Commerce and Labor	(S) Signed by President	03/10/22
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notes: O/Amend. APCO Bill.

Requires that, for renewable energy portfolio standard (RPS) program compliance years 2023 and 2024, any Phase I Utility or Phase II Utility prioritize procurement of renewable energy certificates (RECs) from renewable energy standard sources (RPS eligible sources) located in the Commonwealth, provided that such RECs are cost-competitive when compared with out-of-state sources at the time of procurement.

This bill is on its way to the Governor.

HB 1244 - Scott, D.L. - State Corporation Commission; electric vehicle charging infrastructure & rooftop solar energy, etc.	(H) Committee on Commerce and Energy	(H) Left in Commerce and Energy	02/15/22
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notes: S/Amend. This bill is dead for this Session.

HB 1283 - Gooditis - Nutrient credits; generation near where used, report.	(H) Committee on Agriculture, Chesapeake and Natural Resources	(H) Left in Agriculture, Chesapeake and Natural Resources	02/15/22
notes: O. This bill is dead for this Session.			
HB 1288 - Hudson - Public utilities; rate review by the State Corporation Commission.	(H) Committee on Commerce and Energy	(H) Left in Commerce and Energy	02/15/22
notes: M. This bill is dead for this Session.			
HB 1301 - Kilgore - Clean Energy and Community Flood Preparedness Act; repeals Act.	(H) Committee on Appropriations <hr/> (S) Committee on Agriculture, Conservation and Natural Resources	(S) Passed by indefinitely in Agriculture, Conservation and Natural Resources (8-Y 7-N)	02/22/22
notes: O. This bill is dead for this Session.			
This was one of the pieces of legislation to repeal the Regional Greenhous Gas Initiative. All RGGI repeal bills were killed by the Senate.			
SB 13 - Favola - Energy performance-based contracts; roof replacement.	(H) Committee on Agriculture, Chesapeake and Natural Resources <hr/> (S) Committee on General Laws and Technology	(G) Governor's Action Deadline 11:59 p.m., April 11, 2022	03/11/22
notes: S. Allows procurement of a roof replacement as part of a larger energy conservation or operational efficiency measure under certain circumstances.			
This bill is on its way to the Governor.			
SB 120 - Hackworth - Waste coal piles; Department of Energy to identify volume & number, use of coal as.	(H) Committee on Commerce and Energy <hr/> (S) Committee on Finance and Appropriations	(H) Signed by Speaker	03/11/22
notes: M.			
Directs the Department of Energy, in cooperation with the public institutions of higher education serving the coalfield region of the Commonwealth, to identify the approximate volume and number of waste coal piles present in the coalfield region of the Commonwealth and options for cleaning up such waste coal piles.			
One of the goals is to explore how to locate solar generation on waste coal piles.			

Identical to HB 657.

This bill is on its way to the Governor.

SB 190 - Peake - Local advisory referenda; exception to rule that prohibits referendum from being placed on ballot.	(S) Committee on Local Government	(S) Failed to report (defeated) in Local Government (7-Y 8-N)	01/17/22
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notes: M/O? This bill is dead for this Session.

SB 208 - Petersen - Civil actions; standing.	(S) Committee on the Judiciary	(S) Stricken at the request of Patron in Judiciary (15-Y 0-N)	02/02/22
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notes: M. This bill is dead for this Session.

SB 224 - McPike - Lobbying; local government actions, notice and fee to clerk of governing body.	(S) Committee on General Laws and Technology	(S) Continued to 2023 in General Laws and Technology (12-Y 0-N)	02/09/22
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notes: O. This bill is dead for this Session.

SB 267 - Bell - Electric cooperatives; rate adjustment clause, provision of broadband.	(S) Committee on Commerce and Labor	(S) Stricken at request of Patron in Commerce and Labor (12-Y 0-N)	01/24/22
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notes: M. This bill is dead for this Session.

SB 290 - Favola - State agencies and localities; solar-ready roof requirements, etc.	(H) Committee on General Laws	(H) Failed to report (defeated) in General Laws (10-Y 12-N)	02/24/22
	(S) Committee on General Laws and Technology		

notes: S. This bill is dead for this Session.

SB 304 - Deeds - Electric utilities; energy storage capacity requirements, certain facilities.	(S) Committee on Commerce and Labor	(S) Stricken at request of Patron in Commerce and Labor (15-Y 0-N)	01/31/22
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notes: O. This bill is dead for this Session.

SB 347 - Bell - Electric utilities; SCC to establish for certain utilities annual energy efficiency savings targets.	(H) Committee on Commerce and Energy	(H) Signed by Speaker	03/11/22
	(S) Committee on Commerce and Labor		

notes: M.

The bill requires the State Corporation Commission (Commission) to establish for Dominion Energy Virginia annual energy efficiency savings targets for customers who are low- income, elderly, disabled, or veterans of military service.

This legislation is on its way to the Governor.

SB 398 - McDougle - Regional Greenhouse Gas Initiative (RGGI); preexisting contracts.

(S) Committee on Finance and Appropriations

(S) Passed by indefinitely in Finance and Appropriations (11-Y 5-N)

02/08/22

notes: O. This bill is dead for this Session.

This was one of the pieces of legislation to repeal the Regional Greenhouse Gas Initiative. All RGGI repeal bills were killed by the Senate.

SB 499 - Lewis - Renewable energy facilities; SCC shall create a task force.

(H) Committee on Commerce and Energy

(S) Committee on Finance and Appropriations

(G) Governor's Action Deadline 11:59 p.m., April 11, 2022

03/11/22

notes: Amend.

The patron of this bill worked with solar to amend language about which we had concerns.

Directs the State Corporation Commission, in consultation with the Department of Energy and the Department of Environmental Quality, to create a task force to analyze the life cycle of renewable energy facilities in the Commonwealth. The State Corporation Commission shall report the findings of the task force to the Governor and the Chairs of the House Committee on Agriculture, Chesapeake and Natural Resources and the Senate Committee on Agriculture, Conservation and Natural Resources by May 1, 2023.

This bill is identical to HB 774,

This legislation is on its way to the Governor.

Identical to HB 774.

SB 501 - Lewis - Local land use approvals; extension of approvals to address the COVID-19 pandemic.

(H) Committee on Counties, Cities and Towns

(S) Committee on Local Government

(H) Signed by Speaker

03/08/22

notes: S.

Extends from July 1, 2022, to July 1, 2023, the sunset date for various local land use approvals that were

valid and outstanding as of July 1, 2020. The bill also provides that its provisions shall not be construed to extend previous extensions related to the COVID-19 housing crisis.

Identical to HB 272.

SB 502 - Lewis - Solar photovoltaic projects; local taxation for projects less than five megawatts.	(H) Committee on Finance	(H) Signed by Speaker	03/08/22
	(S) Committee on Finance and Appropriations		

notes: S (CHESSA bill)

This bill is similar to HB 1087 but contains a clarifying sentence that needs to become law.

This bill is on its way to the Governor. We have asked the Governor to sign both bills so we get the benefit of the clarifying language that makes is super clear a locality does not have the right to charge both M&T tax and Revenue Share on a 5 MW and under solar project.

SB 505 - Lewis - Electric cooperatives; net energy metering, power purchase agreements, etc.	(H) Committee on Commerce and Energy	(G) Governor's Action Deadline 11:59 p.m., April 11, 2022	03/11/22
	(S) Committee on Commerce and Labor		

notes: Amend.

Compromise between solar and electric cooperatives.

Identical to HB 266.

This bill is on its way to the Governor.

SB 526 - Lucas - Alarm systems; regulation, battery-charged fence security systems.	(H) Committee on General Laws	(G) Governor's Action Deadline 11:59 p.m., April 11, 2022	03/11/22
	(S) Committee on Local Government		

notes: M. This bill is on its way to the Governor.

SB 532 - Stuart - Clean Energy and Community Flood Preparedness Act; repeals Act.	(S) Committee on Agriculture, Conservation and Natural Resources	(S) Passed by indefinitely in Agriculture, Conservation and Natural Resources (8-Y 7-N)	02/08/22
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notes: O. This bill is dead for this Session.

This was one of the pieces of legislation to repeal the Regional Greenhous Gas Initiative. All RGGI repeal bills were killed by the Senate.

<p>SB 537 - Marsden - Trees; replacement and conservation during development process, powers of local government.</p>	<p>(H) Committee on Counties, Cities and Towns</p> <hr/> <p>(S) Committee on Agriculture, Conservation and Natural Resources</p>	<p>(S) Title replaced 22107424D-H1</p>	<p>03/10/22</p>
<p>notes: O. This legislation was amended to create a formula that was much less than a one for one tree replacement.</p> <p>The background on SB 537 is that the supporters behind this legislation had a stated goal of empowering localities to adopt an ordinance for a one for one tree replacement. So, if a solar developer removed 500 acres of trees, the locality could mandate that the solar developer plant new trees on 500 acres. The tree bill applies to all kinds of commercial and residential development, not just solar.</p> <p>Please note that the supporters of SB 537 mostly supported HB 206, which sets into motion a mitigation process for converting prime ag soils and forested land into solar projects. The regulatory process on HB 206 will take two years and we may end up back in the GA again in the 2023 and/or 2024 Sessions.</p>			
<p>SB 565 - Surovell - Natural gas, biogas, and other gas sources of energy; definitions, energy conservation.</p>	<p>(H) Committee on Commerce and Energy</p> <hr/> <p>(S) Committee on Commerce and Labor</p>	<p>(H) Signed by Speaker</p>	<p>03/11/22</p>
<p>notes: S.</p> <p>Permits natural gas utilities to include in their fuel portfolios, submitted to the State Corporation Commission to monitor fuel prices and purchases, supplemental or substitute forms of gas sources, defined in the bill, that meet certain standards and that reduce emissions intensity.</p> <p>This is a bill requested by the natural gas companies to better use biogas.</p> <p>This bill is on its way to the Governor.</p> <p>This bill is identical to HB 558.</p>			
<p>SB 625 - Favola - Low-to-Moderate Income Solar Financial Incentives Fund and Program; financial incentives.</p>	<p>(H) Committee on Commerce and Energy</p> <hr/> <p>(S) Committee on Finance and Appropriations</p>	<p>(H) Left in Commerce and Energy</p>	<p>03/08/22</p>
<p>notes: Position? This bill is dead for this Session.</p>			
<p>SB 659 - Hanger - Shared solar programs for electric utilities; pilot program.</p>	<p>(S) Committee on Commerce and Labor</p>	<p>(S) Incorporated by Commerce and Labor (SB660-Hanger) (15-Y 0-N)</p>	<p>02/07/22</p>

notes: S. This bill was rolled into SB 600.

SB 660 - Hanger - Shared solar programs; evaluation for Phase I Utilities & electric cooperatives.

(H) Committee on Commerce and Energy
(S) Committee on Commerce and Labor

(H) Signed by Speaker

03/11/22

notes: S. Directs the State Corporation Commission to convene a stakeholder workgroup to evaluate shared solar programs for APCO and the electric cooperatives with a report to the General Assembly prior to November 30, 2022.

This bill is on the way to the Governor.

SB 686 - Mason - Tax, local; solar facility exemption.

(H) Committee on Finance
(S) Committee on Finance and Appropriations

(H) Signed by Speaker

03/08/22

notes: S. This bill would create a separate class of property for local taxation for any solar facility with a nameplate rated electrical generating capacity measured in direct current kilowatts of not more than 25 kilowatts installed on the roof of a residential, commercial, industrial, institutional, or mixed-use building or buildings to serve the electricity or thermal needs of such building or property, provided the installation follows all applicable local zoning rules. Such facilities would be exempt from local property taxation.

If enacted during the regular session of the 2022 General Assembly, this bill would become effective January 1, 2023.

This is a SEIA bill.

This bill is on its way to the Governor.

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By: Gentry Locke Attorneys