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**HOUSE BILL 2297**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Representatives Orwall, Hackney, Duerr, Berry, Ramel, Goodman, Riccelli, Simmons, Pollet, and Doglio

AN ACT Relating to requiring the installation of solar energy systems on new school buildings; adding a new section to chapter 19.27A RCW; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  The legislature finds that expanding the use of solar energy is an effective means of reducing greenhouse gas emissions and the state's reliance on the fossil fuels responsible for our rapidly changing climate. The legislature further finds that the use of solar energy to power buildings is generally a cost-effective means of reducing energy bills with a return on investment that may equal or exceed the initial cost. The legislature also notes that the state's building code requires solar readiness for many buildings and that the state's energy performance standard, commonly known as the clean buildings act, is transitioning the state toward ever more energy efficient buildings. Considering these benefits and existing state requirements, the legislature intends to create a requirement, subject to sufficient legislative appropriations, that public schools install solar energy systems on new buildings that exceed 50,000 square feet.

NEW SECTION. **Sec.**  A new section is added to chapter 19.27A RCW to read as follows:

(1) The requirements of subsection (2) of this section only apply to public schools that receive a grant award notification under subsection (4) of this section within the notification timeline established by the superintendent of public instruction.

(2) Except as provided for under subsection (1) of this section, public schools must install qualifying solar energy systems prior to building occupancy for qualifying school buildings with more than 50,000 gross square feet that commence construction on or after June 1, 2027.

(3)(a) Public schools that plan to construct a qualifying school building must notify the office of the superintendent of public instruction prior to the commencement of construction of such a building. The superintendent of public instruction must determine the date by which public schools must provide this notification.

(b) The notification provided by public schools pursuant to (a) of this subsection (3) must include:

(i) The estimated cost of permitting, purchasing, and installing a qualifying solar energy system pursuant to subsection (2) of this section for the planned facility; and

(ii) A comparison of the proposed qualifying solar energy system's capacity to the school campus' anticipated electrical energy consumption.

(c) For the purposes of the comparison required under (b)(ii) of this subsection, public schools shall, in addition to existing electrical energy consumption, include the electrical energy consumption from planned capital investments included in their 10-year capital plans as well as from anticipated improvements required to comply with the state's energy-related building standards in this chapter.

(d) To facilitate the submission of the project notifications required under this subsection (3) and to assess the public benefit potential of each project, the office of the superintendent of public instruction must:

(i) Provide technical assistance to public schools for estimating costs and project scope under this subsection;

(ii) Perform a cost-benefit analysis for each project included in a notification received under this section that compares the state's investment to the value produced by the project over a period of at least 25 years. As part of each analysis performed, the office of the superintendent of public instruction must estimate whether the project would result in a positive net present value over the period of analysis.

(4) Subject to the availability of amounts appropriated for this specific purpose, the superintendent of public instruction must award grants on a reimbursement basis for the actual cost of qualifying solar energy systems installed under this section. The superintendent of public instruction may only award grants pursuant to this section for projects that would result in a positive net present value over the period of analysis specified in subsection (3)(d)(ii) of this section. For the purposes of the compliance exception process under subsection (1) of this section, the superintendent of public instruction must establish a timeline for notifying public school applicants regarding grant awards pursuant to this section.

(5) The office of the superintendent of public instruction must develop a grant program and related administrative processes to implement the requirements of this section and must also:

(a) Estimate the cost of implementing the requirements of this section prior to each fiscal biennium; and

(b) Request legislative appropriations in each fiscal biennium for the cost estimates developed under (a) of this subsection and submit the first such request no later than September 30, 2024.

(6) For purposes of this section:

(a) "Commencement of construction" means the date that a building permit is issued under the building code adopted under RCW 19.27.031 for construction of the school building.

(b) "Qualifying school buildings" means buildings owned by public schools that are required to provide solar zones pursuant to the building code adopted under RCW 19.27.031.

(c) "Qualifying solar energy systems" means photovoltaic panels of a design, capacity, and quantity sufficient to maximize buildings' or sites' solar energy generation potential, but not to exceed school campus' anticipated electrical energy consumption.

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