

REFERENCE TITLE: solar royalties fund; county residents

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2281

Introduced by
Representatives Biasiucci: Dunn, Gillette; Senator Borrelli

AN ACT

AMENDING TITLE 11, CHAPTER 2, ARTICLE 4, ARIZONA REVISED STATUTES, BY
ADDING SECTION 11-269.29; RELATING TO COUNTY BOARDS OF SUPERVISORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 11, chapter 2, article 4, Arizona Revised
3 Statutes, is amended by adding section 11-269.29, to read:
4 11-269.29. County resident solar royalties fund
5 A. A COUNTY RESIDENT SOLAR ROYALTIES FUND SHALL BE ESTABLISHED BY
6 THE BOARD OF SUPERVISORS IN EACH COUNTY TO BE ADMINISTERED BY THE COUNTY
7 TREASURER. THE FUND WILL BE FUNDED BY EACH OWNER OR OPERATOR OF A SOLAR
8 PANEL IN THAT COUNTY THAT MEETS ALL OF THE FOLLOWING:
9 1. THE SOLAR PANEL IS LOCATED IN THE RELEVANT COUNTY.
10 2. THE SOLAR PANEL IS NOT ANY OF THE FOLLOWING:
11 (a) OWNED BY A PUBLIC SERVICE CORPORATION THAT IS REGULATED BY THE
12 CORPORATION COMMISSION OR BY A PUBLIC POWER ENTITY THAT HAS SERVICE
13 TERRITORY LOCATED IN THIS STATE.
14 (b) SUBJECT WHOLLY TO AN EXCLUSIVE POWER PURCHASE AGREEMENT WITH
15 EITHER A PUBLIC SERVICE CORPORATION REGULATED BY THE CORPORATION
16 COMMISSION OR A PUBLIC POWER ENTITY THAT HAS SERVICE TERRITORY LOCATED IN
17 THIS STATE.
18 B. THE OWNER OR OPERATOR OF A SOLAR PANEL THAT MEETS THE
19 REQUIREMENTS OF SUBSECTION A OF THIS SECTION SHALL PAY THE COUNTY IN WHICH
20 THE SOLAR PANEL IS LOCATED TWELVE AND ONE-HALF PERCENT OF EVERY \$1.00 THAT
21 THE OWNER OR OPERATOR RECEIVES IN REVENUES FROM THE SALE OF KILOWATT-HOURS
22 FROM THE SOLAR PANEL. THE COUNTY SHALL DEPOSIT THESE MONIES IN THE FUND
23 ESTABLISHED PURSUANT TO SUBSECTION A OF THIS SECTION.
24 C. ON THE FIRST OF EACH MONTH, THE COUNTY TREASURER SHALL DETERMINE
25 THE TOTAL AMOUNT OF MONIES IN THE FUND AND THE TOTAL NUMBER OF QUALIFIED
26 INDIVIDUALS WHO LIVE IN THE COUNTY. THE COUNTY TREASURER SHALL USE MONIES
27 IN THE FUND FOR THE ADMINISTRATIVE COSTS OF THIS SECTION, EXCEPT THE
28 ADMINISTRATIVE COSTS MAY NOT EXCEED TEN PERCENT OF THE MONIES IN THE
29 FUND. AFTER ADMINISTRATIVE COSTS OF THE FUND ARE PAID, THE COUNTY
30 TREASURER SHALL PAY TO EACH QUALIFIED RESIDENT OF THE COUNTY AN EQUAL
31 DISTRIBUTION OF THE TOTAL AMOUNT OF MONIES AVAILABLE IN THE FUND. THE
32 PAYMENT SHALL BE MADE BY CHECK.
33 D. THIS SECTION DOES NOT APPLY TO A SOLAR PANEL THAT MEETS ANY OF
34 THE FOLLOWING:
35 1. PRODUCES POWER FOR ONLY ON-SITE USE BY A COMMERCIAL OR
36 INDUSTRIAL USER.
37 2. DOES NOT EXPORT POWER TO THE GRID.
38 3. IS A ROOFTOP SOLAR SYSTEM, REGARDLESS OF WHETHER THE SYSTEM
39 EXPORTS POWER TO THE GRID.