

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1222

By: Sharp

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6 AS INTRODUCED

7 An Act relating to solar energy; creating the  
8 Oklahoma Solar Energy Development Act; providing  
9 short title; stating public policy; directing certain  
10 public utility providers to allow net metering;  
11 requiring compensation for certain produced power;  
12 stating rate for compensation; authorizing methods of  
13 compensation; authorizing adoption of certain  
14 administrative fees; authorizing Corporation  
15 Commission to promulgate rules; prohibiting certain  
16 owner associations from enacting covenants  
17 restricting certain solar panel equipment; stating  
18 exception; providing for codification; and providing  
19 an effective date.

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22 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

23 SECTION 1. NEW LAW A new section of law to be codified  
24 in the Oklahoma Statutes as Section 160.50 of Title 17, unless there  
is created a duplication in numbering, reads as follows:

25 This act shall be known and may be cited as the "Oklahoma Solar  
26 Energy Development Act".

27 SECTION 2. NEW LAW A new section of law to be codified  
28 in the Oklahoma Statutes as Section 160.51 of Title 17, unless there  
29 is created a duplication in numbering, reads as follows:

1 A. Notwithstanding any provision of state law or municipal  
2 ordinance to the contrary, the public policy of this state shall be  
3 to encourage the development and utilization of solar energy for  
4 generation of electric energy used in public and private  
5 residential, commercial and industrial buildings. All state  
6 agencies, municipalities and political subdivisions are directed to  
7 repeal ordinances or rules contrary to this policy.

8 B. On or before the effective date of this act, all electric  
9 utility providers in this state shall:

10 1. Implement net metering provisions at least equal to the  
11 provisions contained in Chapter 165:40-1-1 et seq., of the Oklahoma  
12 Administrative Code; and

13 2. Compensate owners of solar-powered electric generation  
14 equipment for all power produced in excess of the owner's monthly  
15 use either by direct payment equal to the utility provider's avoided  
16 cost rate or by allowance of a month-to-month rollover credit to the  
17 owner's utility bill.

18 C. The Corporation Commission and the governing bodies  
19 responsible for cooperative or municipal electric utility providers  
20 in this state shall be authorized to determine a reasonable one-time  
21 fee the utility providers may implement as each provider deems  
22 necessary to cover the administrative costs related to paragraph 2  
23 of subsection B of this section.  
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1 D. The Corporation Commission is authorized to promulgate rules  
2 to implement the provisions of this act.

3 SECTION 3. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 854.1 of Title 60, unless there  
5 is created a duplication in numbering, reads as follows:

6 Notwithstanding any municipal code or ordinance to the contrary,  
7 owners associations, authorized pursuant to Section 851 et seq. of  
8 Title 60 of the Oklahoma Statutes, shall not enact or enforce  
9 covenants or restrictions prohibiting the installation of solar  
10 panel electrical generation equipment on residential rooftops or on  
11 ground level. Owner associations may require ground-level solar  
12 electrical equipment to be located behind homes or otherwise not in  
13 public view.

14 SECTION 4. This act shall become effective January 1, 2017.

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