

REFERENCE TITLE: solar panel disposal fund

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

HB 2133

Introduced by
Representative Griffin

AN ACT

AMENDING TITLE 49, CHAPTER 4, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 10.1; RELATING TO SOLAR PANELS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 49, chapter 4, Arizona Revised Statutes, is
3 amended by adding article 10.1, to read:

4 ARTICLE 10.1. SOLAR PANEL DISPOSAL FUND

5 49-885. Solar panel disposal fund; exemption; use; purpose;
6 annual report

7 A. THE SOLAR PANEL DISPOSAL FUND IS ESTABLISHED CONSISTING OF
8 LEGISLATIVE APPROPRIATIONS AND SOLAR PANEL INSTALLATION FEES COLLECTED AND
9 DISTRIBUTED PURSUANT TO SECTION 49-886. THE DEPARTMENT SHALL ADMINISTER
10 THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED AND ARE EXEMPT
11 FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF
12 APPROPRIATIONS.

13 B. ON NOTICE FROM THE DEPARTMENT, THE STATE TREASURER SHALL INVEST
14 AND DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES
15 EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND. THE DEPARTMENT MAY
16 RETAIN UP TO ONE PERCENT OF THE MONIES IN THE FUND FOR THE COSTS OF
17 ADMINISTERING THE FUND. GRANTS MADE PURSUANT TO THIS SECTION ARE EXEMPT
18 FROM TITLE 41, CHAPTER 24.

19 C. MONIES FROM THE FUND MAY BE USED TO PROVIDE GRANTS TO CITIES,
20 TOWNS AND COUNTIES TO AID IN THE FOLLOWING:

- 21 1. DECOMMISSIONING, RECYCLING AND DISPOSING OF SOLAR PANELS.
- 22 2. GROUNDWATER QUALITY REMEDIATION EFFORTS NECESSITATED BY IMPROPER
23 SOLAR PANEL DISPOSAL.

24 D. THE DEPARTMENT SHALL GIVE PRIORITY TO GRANT APPLICATIONS THAT
25 AID GROUNDWATER QUALITY REMEDIATION EFFORTS AND SHALL CONSIDER THE DEGREE
26 TO WHICH FINANCIAL ASSISTANCE FROM THE DEPARTMENT IS NECESSARY TO ENSURE
27 THAT CORRECTIVE ACTIONS WILL BE CONDUCTED.

28 E. EACH ENTITY SEEKING GRANT FUNDING PURSUANT TO THIS SECTION SHALL
29 SUBMIT AN APPLICATION TO THE DEPARTMENT WITH THE ENTITY'S PROPOSAL AS
30 PRESCRIBED BY THE DEPARTMENT. ON OR BEFORE JUNE 30 OF EACH YEAR, EACH
31 GRANTEE SHALL REPORT THE OUTCOMES AND AN ACCOUNTING OF THE EXPENDITURES OF
32 THE GRANT MONIES RECEIVED, INCLUDING PROGRAM DATA REQUESTED BY THE
33 DEPARTMENT.

34 F. ON OR BEFORE AUGUST 15 OF EACH YEAR, THE DEPARTMENT SHALL SUBMIT
35 A REPORT TO THE GOVERNOR, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND
36 THE PRESIDENT OF THE SENATE AND SHALL PROVIDE A COPY OF THE REPORT TO THE
37 SECRETARY OF STATE. THE REPORT SHALL INCLUDE, AT A MINIMUM, A LISTING OF
38 THE GRANT RECIPIENTS IN THE PRECEDING YEAR, THE AMOUNT OF EACH GRANT, THE
39 PROGRAMS OR PROJECTS THE GRANT MONIES ARE SUPPORTING AND THE OUTCOMES OF
40 THOSE PROGRAMS OR PROJECTS.

41 49-886. Fees

42 THE OWNER OR INSTALLER OF EACH SOLAR PANEL THAT IS INSTALLED IN THIS
43 STATE SHALL PAY TO THE DEPARTMENT A FEE OF \$1 PER PANEL INSTALLED. THE
44 DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND 35-147, THE FEES
45 COLLECTED UNDER THIS SECTION IN THE SOLAR PANEL DISPOSAL FUND ESTABLISHED

1 BY SECTION 49-885. THE DIRECTOR SHALL ADOPT RULES TO PROVIDE FOR THE
2 ORDERLY IMPOSITION AND COLLECTION OF THE FEES IMPOSED BY THIS SECTION.

3 Sec. 2. Requirements for enactment; two-thirds vote

4 Pursuant to article IX, section 22, Constitution of Arizona, this
5 act is effective only on the affirmative vote of at least two-thirds of
6 the members of each house of the legislature and is effective immediately
7 on the signature of the governor or, if the governor vetoes this act, on
8 the subsequent affirmative vote of at least three-fourths of the members
9 of each house of the legislature.