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SENATE BILL NO. 240

Offered January 18, 1996

A BILL to amend and reenact § 45.1-392 of the Code of Virginia, relating to solar photovoltaic manufacturing incentive grants.

Patrons—Stosch and Williams; Delegate: Diamonstein

Referred to the Committee on Finance

Be it enacted by the General Assembly of Virginia:

1. That § 45.1-392 of the Code of Virginia is amended and reenacted as follows:

§ 45.1-392. Solar Photovoltaic Manufacturing Incentive Grant Program.

A. Any manufacturer *commencing eligible sales during calendar year 1995* who, from January 1, 1995, through December 31, 1999, sells solar photovoltaic panels it manufactured in Virginia shall be entitled to receive an annual solar photovoltaic manufacturing incentive grant in an amount of seventy-five cents per watt of the rated capacity of panels sold in a calendar year. The grants shall be paid from a fund to be entitled the Solar Photovoltaic Manufacturing Incentive Grant Fund (the "Fund").

B. *Any manufacturer commencing eligible sales at any time subsequent to December 31, 1995, and who, from January 1, 1996, through December 31, 2001, sells solar photovoltaic panels it manufactured in Virginia shall be entitled to receive an annual solar photovoltaic manufacturing incentive grant in an amount up to seventy-five cents per watt of the rated capacity of panels sold in a calendar year. The grants shall be paid from the Fund. No manufacturer shall be eligible to receive grants for more than five years.*

C. In the event applications for grants exceed six million watts per calendar year, the grant payments will be apportioned among the eligible applicants, based upon the total wattage evidenced by such applicants, *the amount per watt the applicant is eligible to receive,* and the total wattage eligible for grants specified in this section.

~~C~~ *D.* Any manufacturer entitled to apply for a grant pursuant to this section shall provide evidence, satisfactory to the Director, of manufacturing such panels in Virginia, the sale of such solar photovoltaic panels, and the wattage sold per year. The reports of manufacturing and sales shall be filed no later than March 31 following the calendar year in which the sales eligible for the grant were made. Failure to meet the filing deadline shall render the applicant ineligible to receive a grant. The postmark cancellation shall govern the date of the filing determination unless the Director has approved an alternative means of filing.

~~D~~ *E.* The Director shall certify to the Comptroller the amount of grant a manufacturer of solar photovoltaic panels is eligible to receive in a given calendar year. Payments shall be paid by check issued by the Treasurer of Virginia on warrant of the Comptroller.

~~E~~ *F.* The Director, upon presenting appropriate credentials, may examine the records, books, invoices, bills of lading, storage and production facilities and other applicable documents to determine whether the manufacturing and sale of the photovoltaic panels meet the requirements for grants as set forth in this section.