

# 2021 SPECIAL SESSION I

## HOUSE SUBSTITUTE

21103653D

### HOUSE BILL NO. 2269

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Finance  
on January 27, 2021)

(Patron Prior to Substitute—Delegate Heretick)

*A BILL to amend and reenact § 58.1-2636 of the Code of Virginia, relating to revenue share for solar energy projects and energy storage systems.*

**Be it enacted by the General Assembly of Virginia:**

**1. That § 58.1-2636 of the Code of Virginia is amended and reenacted as follows:**

**§ 58.1-2636. Revenue share for solar energy projects and energy storage systems.**

A. 1. Any locality may by ordinance assess a revenue share of (i) up to \$1,400 per megawatt, as measured in alternating current (AC) generation capacity of the nameplate capacity of the facility based on submissions by the facility owner to the interconnecting utility, on any solar photovoltaic (electric energy) project, or (ii) up to \$1,400 per megawatt, as measured in alternating current (AC) storage capacity, on any energy storage system.

2. Except as prohibited by subdivision 3, the maximum amount of the revenue share that may be imposed shall be increased on July 1, 2026, and every five years thereafter by 10 percent.

3. The provisions of subdivision 2 shall not apply to solar photovoltaic projects or energy storage systems for which an application has been filed with the locality, as defined by subsection D of § 58.1-3660, and such application has been approved by the locality prior to January 1, 2021. The provisions of subdivision 2 shall apply to all such projects and systems for which an application is approved by the locality on or after January 1, 2021.

B. For purposes of this section, "solar photovoltaic (electric energy) project" shall not include any project that is (i) described in § 56-594, 56-594.01, or 56-594.2 or Chapters 358 and 382 of the Acts of Assembly of 2013, as amended; (ii) 20 megawatts or less, as measured in alternating current (AC) generation capacity, for which an initial interconnection request form has been filed with an electric utility or a regional transmission organization on or before December 31, 2018; or (iii) five megawatts or less.

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