

House Bill 3352

Sponsored by Representative HANNA

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires State Department of Energy to develop model list of homebuilder-installed renewable energy systems.

Requires architect providing plans and specifications for residential housing to be constructed for use of specific individuals to provide client with model list of homebuilder-installed renewable energy systems. Creates exceptions.

Requires developer contracting for construction of residential housing on behalf of, or for sale to, specific purchaser to provide purchaser with model list of homebuilder-installed renewable energy systems.

A BILL FOR AN ACT

1
2 Relating to homebuilder-installed renewable energy systems.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2009 Act is added to and made a part of ORS 671.010 to**
5 **671.220.**

6 **SECTION 2. (1) As used in this section, "residential housing" means a one or two family**
7 **dwelling that is subject to the Low-Rise Residential Dwelling Code adopted under ORS**
8 **455.610.**

9 **(2) Except as provided in subsection (3) of this section, if an architect enters into a**
10 **contract with a client to provide plans and specifications for new residential housing that the**
11 **architect knows is to be constructed for the use of specific individuals, prior to delivering**
12 **any plans or specifications for the residential housing to the client the architect shall provide**
13 **the client with the model list of homebuilder-installed renewable energy systems adopted by**
14 **the State Department of Energy by rule under section 6 of this 2009 Act. The architect may**
15 **include with the list any assessment, advice or disclaimer regarding whether a particular**
16 **renewable energy system is practical for incorporation into the residential housing for which**
17 **the architect is providing plans and specifications.**

18 **(3) An architect is not required to provide the list described in subsection (2) of this**
19 **section to a client that is a developer as defined in section 4 of this 2009 Act.**

20 **SECTION 3. Section 4 of this 2009 Act is added to and made a part of ORS chapter 701.**

21 **SECTION 4. (1) As used in this section:**

22 **(a) "Developer" means a person who contracts to construct, or arrange for the con-**
23 **struction of, new residential housing on behalf of, or for the purpose of selling the residential**
24 **housing to, a specific individual the person knows is the purchaser of the residential housing.**

25 **(b) "Residential housing" means a one or two family dwelling that is subject to the**
26 **Low-Rise Residential Dwelling Code adopted under ORS 455.610.**

27 **(2) A developer who enters into a contract to construct or arrange for the construction**
28 **of new residential housing shall, at the time of providing a purchaser with a written con-**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 tract, also provide the purchaser with the model list of homebuilder-installed renewable en-
2 ergy systems adopted by the State Department of Energy by rule under section 6 of this 2009
3 Act.

4 (3) The inclusion of a homebuilder-installed renewable energy system on the list supplied
5 by the developer under subsection (2) of this section does not obligate the developer to make
6 the renewable energy system available to a purchaser. The developer may advise a purchaser
7 regarding whether a particular listed renewable energy system is available from or through
8 the developer, available from or through another supplier or unavailable for the new resi-
9 dential housing that is the subject of the contract. If a listed renewable energy system is
10 available from or through the developer or another supplier, the developer may specify the
11 stage of construction by which the purchaser must submit to the developer any request that
12 the residential housing incorporate that renewable energy system.

13 (4) This section, or the inclusion of a homebuilder-installed renewable energy system on
14 the list adopted under section 6 of this 2009 Act, does not affect the requirement that in-
15 stallation of a renewable energy system comply with the state building code or be approved
16 under ORS 455.060.

17 **SECTION 5.** Section 6 of this 2009 Act is added to and made a part of ORS 469.185 to
18 469.225.

19 **SECTION 6.** The State Department of Energy shall adopt by rule a model list of
20 homebuilder-installed renewable energy systems that are available and practical for incor-
21 poration into residential housing as defined in section 4 of this 2009 Act. The department
22 shall make the list available for use by architects under section 2 of this 2009 Act and de-
23 velopers under section 4 of this 2009 Act. In developing the list, the department shall solicit
24 the comments of environmental groups, renewable energy system providers and other per-
25 sons interested in promoting the residential use of homebuilder-installed renewable energy
26 systems.

27 **SECTION 7.** (1) The State Department of Energy shall develop an initial model list of
28 homebuilder-installed renewable energy systems under section 6 of this 2009 Act and make
29 the list available for architect and developer use no later than July 1, 2010.

30 (2) Section 2 of this 2009 Act applies to contracts that an architect enters into on or after
31 July 1, 2010.

32 (3) Section 4 of this 2009 Act applies to contracts that a developer enters into on or after
33 July 1, 2010.

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