
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 272 Session of
2025

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PROBST AND KHAN, JANUARY 22, 2025

REFERRED TO COMMITTEE ON ENERGY, JANUARY 22, 2025

AN ACT

1 Establishing the Municipal and Emergency Responder Solar Grant
2 Program; and providing for powers and duties of the
3 Department of Environmental Protection.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Municipal and
8 Emergency Responder Solar Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Department." The Department of Environmental Protection of
14 the Commonwealth.

15 "Eligible applicant." Any of the following:

16 (1) A political subdivision.

17 (2) A local authority.

1 "Eligible facility." A political subdivision or emergency
2 service facility eligible to receive money under this act.

3 "Eligible project costs." The term includes costs related to
4 the purchase and installation of equipment, including prepayment
5 in whole or in part of a solar lease or power purchase
6 agreement, permit fees, energy storage, utility interconnection
7 and any other costs approved by the department.

8 "Emergency service facility." A building and surrounding
9 premises owned by an eligible applicant, a fire department,
10 police department or ambulance service company.

11 "Inflation Reduction Act." The Inflation Reduction Act of
12 2022 (Public Law 117-169, 136 Stat. 1818).

13 "Political subdivision." A county, city, borough,
14 incorporated town or township.

15 "Program." The Municipal and Emergency Responder Solar Grant
16 Program established under section 3.

17 "Solar energy project." A project at an eligible facility
18 related to photovoltaic or solar thermal devices that convert,
19 transfer or store solar energy in or into usable forms of
20 thermal or electric energy.

21 "Solar facility site assessment." An evaluation of a
22 possible location to ascertain whether it is safe and cost-
23 effective for installing a solar energy project.

24 Section 3. Municipal and Emergency Responder Solar Grant
25 Program.

26 (a) Establishment.--The Municipal and Emergency Responder
27 Solar Grant Program is established and shall be administered by
28 the department. The program shall award grants to eligible
29 applicants on a competitive basis to the extent that money is
30 appropriated for this purpose.

1 (b) Use of grants.--A grant awarded under this act shall be
2 used by the eligible applicant for eligible project costs
3 related to a solar energy project.

4 (c) Duties of department.--The department shall have the
5 following powers and duties:

6 (1) To establish guidelines necessary to implement this
7 act.

8 (2) To establish the process through which eligible
9 applicants may apply for grant money under the program.

10 (3) To develop the minimum information to be included in
11 a solar facility site assessment.

12 (4) To provide technical assistance to an eligible
13 applicant or other entity represented by an eligible
14 applicant as appropriate, including conducting a solar
15 facility site assessment.

16 (5) To develop educational materials about using,
17 purchasing, financing and maintaining solar energy projects.

18 (6) To provide information related to funding
19 opportunities through the Inflation Reduction Act.

20 (7) To enter into agreements with third-party entities
21 if necessary, including the Department of Community and
22 Economic Development, to carry out this act, including
23 reviewing applications, and providing technical assistance
24 and conducting solar facility site assessments.

25 (d) Application.--An eligible applicant shall submit an
26 application on a form and in a manner as determined by the
27 department in accordance with the following:

28 (1) The application shall include the result of a solar
29 facility site assessment conducted by a qualified solar
30 installer.

1 (2) The application shall include an affidavit to ensure
2 that a contractor or subcontractor performing construction,
3 reconstruction, demolition or repair on a solar energy
4 project funded under this act meets all of the following
5 requirements:

6 (i) Maintains all valid licenses, registrations or
7 certificates required by the Federal Government, the
8 Commonwealth or a local government entity that is
9 necessary to do business or perform applicable work.

10 (ii) Maintains compliance with the act of June 2,
11 1915 (P.L.736, No.338), known as the Workers'
12 Compensation Act, the act of December 5, 1936 (2nd
13 Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment
14 Compensation Law, and bonding and liability insurance
15 requirements as specified in the contract for the solar
16 energy project.

17 (iii) Has not defaulted on a project, declared
18 bankruptcy, been debarred or suspended on a project by
19 the Federal Government, the Commonwealth or a local
20 government entity within the previous three years.

21 (iv) Has not been convicted of a misdemeanor or
22 felony relating to the performance or operation of the
23 business of the contractor or subcontractor within the
24 previous 10 years.

25 (v) Has completed a minimum of the United States
26 Occupational Safety and Health Administration's 10-hour
27 safety training course or similar training sufficient to
28 prepare workers for any hazards that may be encountered
29 during their work.

30 (3) Prior to the time period established by the

1 department to submit an application, the department shall
2 solicit and fulfill requests for technical assistance from
3 eligible applicants.

4 (4) An eligible applicant may submit an application on
5 behalf of a fire department, police department or ambulance
6 service company.

7 (e) Prevailing wage requirement.--

8 (1) An employer or contractor contracted to complete a
9 solar energy project under the program shall pay the
10 prevailing minimum wage and benefit rates for all crafts or
11 classifications performing construction, reconstruction,
12 demolition, alteration and repair work, other than
13 maintenance work, on the solar energy project as determined
14 by the Department of Labor and Industry under the act of
15 August 15, 1961 (P.L.987, No.442), known as the Pennsylvania
16 Prevailing Wage Act.

17 (2) If the department or the Department of Labor and
18 Industry determines that an eligible applicant that received
19 a grant under the program failed to comply with the
20 Pennsylvania Prevailing Wage Act, the eligible applicant must
21 refund to the department the total amount of grants awarded
22 for the solar energy project.

23 (f) Project delivery.--An employer or contractor contracted
24 to complete a solar energy project under the program shall use
25 the contracting procedure under the act of May 1, 1913 (P.L.155,
26 No.104), referred to as the Separations Act, or through a power
27 purchase agreement with a third-party developer or under 62
28 Pa.C.S. Ch. 37 Subch. E (relating to guaranteed energy savings
29 contracts) for a solar project contemplated by the program
30 either separately or together with other energy efficiency

1 improvements contemplated under 62 Pa.C.S. Ch. 37 Subch. E. For
2 purposes of determining "energy-related cost savings" as defined
3 under 62 Pa.C.S. § 3752 (relating to definitions), a grant
4 recipient may use the cost of the project as reduced by the
5 amount of the grant. Should an eligible applicant elect to use
6 contracting procedures under 62 Pa.C.S. Ch. 37 Subch. E or a
7 power purchase agreement, the eligible applicant shall be exempt
8 from contracting requirements under the Separations Act only for
9 projects approved under this act.

10 (g) Grant limits.--An eligible applicant may receive a grant
11 of up to 50% of the eligible project costs for a solar energy
12 project.

13 (h) Grant awards.--

14 (1) The department, in its discretion, may award in
15 whole or in part a request made by an eligible applicant in
16 its grant application based upon the merit of a specific
17 component requested.

18 (2) The department shall give preference in award
19 decisions to eligible applicants seeking funding under the
20 Inflation Reduction Act.

21 (3) The department shall give preference in award
22 decisions to eligible applicants within 50 miles of a coal-
23 powered electric generation plant that has closed or will
24 close within one year of the effective date of this
25 paragraph.

26 (4) The department may give preference in award
27 decisions to applications demonstrating the greatest amount
28 of solar energy projected to be produced relative to the
29 existing energy usage at the eligible facility proposed for
30 the solar energy project.

1 (5) The department shall establish a minimum of three
2 regions of equal population within this Commonwealth for this
3 purpose and allocate an equal percentage of available money
4 to each region.

5 (6) A grant award received under this act shall not be
6 contingent upon the applicant committing to transfer
7 ownership of any solar renewable energy credits generated by
8 a solar energy project.

9 (7) A grant award received under this act shall be
10 contingent upon the eligible applicant retaining ownership of
11 the equipment, including photovoltaic or solar thermal
12 devices, related to the solar energy project at the onset of
13 the purchase and installation of the equipment or at the
14 conclusion of a power purchase agreement or lease agreement
15 with a third party.

16 (8) A grant award received under this act shall be
17 contingent upon the equipment, including photovoltaic or
18 solar thermal devices, related to the solar energy project
19 being produced or manufactured in the United States. For the
20 purpose of this paragraph, equipment shall be considered
21 produced or manufactured in the United States if at least 75%
22 of the articles, materials and supplies are produced or
23 manufactured in the United States, if available.

24 (i) Best practices.--An eligible applicant that receives a
25 grant under the program may use the energy cost savings from the
26 solar energy project to supplement, not supplant, existing
27 spending on eligible facility projects, including environmental
28 and health hazard remediation, indoor air quality improvements,
29 heating, ventilation and air conditioning upgrades, roof, window
30 and plumbing repairs or replacements and emergency repairs.

1 (j) Guidelines.--Within 90 days of the effective date of
2 this subsection, the department shall publish the guidelines
3 required by subsection (c)(1) on the department's publicly
4 accessible Internet website.

5 (k) Audits.--The department may randomly audit and monitor
6 grant recipients to ensure the appropriate use of grant money
7 and compliance with this act and department guidelines.

8 (l) Administrative fee.--The department may use money
9 appropriated for the program to pay for the direct costs
10 associated with the administration of the program, including
11 providing technical assistance.

12 Section 4. Effective date.

13 This act shall take effect immediately.