

SENATE BILL NO. 313

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Commerce and Labor

on _____)

(Patron Prior to Substitute--Senator VanValkenburg)

A BILL to direct the Commissioner of Agricultural and Consumer Services to promulgate regulations regarding mandatory disclosures to be included in any marketing materials and contracts for the sale, lease, or installation of a solar energy facility; work group; report.

Be it enacted by the General Assembly of Virginia:

1. § 1. The Commissioner of Agricultural and Consumer Services (the Commissioner) shall promulgate regulations for mandatory disclosures to be included in any marketing materials that promote the sale, lease, or installation of any solar energy facility and to be included in any contract between a seller and consumer involving the sale, lease, or installation of any solar energy facility. Such disclosures shall include (i) a description of the solar energy equipment and the make and model of its major components; (ii) the total cost to be paid; (iii) any guarantee by the seller of the energy production output that such equipment will provide; (iv) any tax credits or rebates the seller claims are available; (v) a description of any warranty for the repair of any damage to the roof of the premises in connection with the installation or removal of such equipment; (vi) a disclosure of the transferability of the obligations under such contract to any third party, future or present; and (vii) an explanation of any interest, installation fees, document preparation fees, service fees, escalation rates, cancellation fees, roof repair costs, or other costs to be paid by the consumer.

The Commissioner shall develop a standardized form for any required disclosures and shall publish such form by January 1, 2025, on the Department of Agricultural and Consumer Services' website.

Additionally, the Commissioner shall convene a work group of relevant stakeholders to develop recommendations for any additional consumer protections regarding the sale, lease, or installation of a solar energy facility with a generating capacity of 25 kilowatts or less. The work group shall include (a)

27 consumer advocates, (b) solar industry groups, (c) environmental and renewable energy advocates, (d) a
28 representative of the Office of the Attorney General, (e) the Director of the Department of Professional
29 and Occupational Regulation or his designee, and (f) other stakeholders as deemed necessary by the
30 Commissioner. The Commissioner shall submit a written report of the work group's recommendations to
31 the Chairs of the House Committees on Agriculture, Chesapeake and Natural Resources and Labor and
32 Commerce and the Senate Committees on Agriculture, Conservation and Natural Resources and
33 Commerce and Labor by November 30, 2024.

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