

HOUSE BILL NO. 5707

February 01, 2022, Introduced by Reps. Sneller, Hood, Haadsma, Rogers, Outman, Brabec, Hope, Neeley, Stone, Kuppa, Sabo, Hertel, Aiyash, Weiss, Sowerby and LaGrand and referred to the Committee on Energy.

A bill to amend 2010 PA 270, entitled
"Property assessed clean energy act,"
by amending section 3 (MCL 460.933), as amended by 2017 PA 242.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. As used in this act:

2 (a) "Anaerobic digester" means a device for optimizing the
3 anaerobic digestion of biomass for the purpose of recovering
4 biofuel for energy production.

5 (b) "Anaerobic digester energy system" means an anaerobic

1 digester and the devices used to generate electricity or heat from
2 biogas produced by the anaerobic digester or to store the biogas
3 for the future generation of electricity or heat.

4 (c) "District" means a district created under a property
5 assessed clean energy program by a local unit of government that
6 lies within the local unit of government's jurisdictional
7 boundaries. A local unit of government may create more than 1
8 district under the program, and districts may be separate,
9 overlapping, or coterminous.

10 (d) "Energy efficiency improvement" means equipment, devices,
11 or materials intended to decrease energy consumption, including,
12 but not limited to, all of the following:

13 (i) Insulation in walls, roofs, floors, foundations, or heating
14 and cooling distribution systems.

15 (ii) Storm windows and doors; multi-glazed windows and doors;
16 heat-absorbing or heat-reflective glazed and coated window and door
17 systems; and additional glazing, reductions in glass area, and
18 other window and door system modifications that reduce energy
19 consumption.

20 (iii) Automated energy control systems.

21 (iv) Heating, ventilating, or air-conditioning and distribution
22 system modifications or replacements.

23 (v) Caulking, weather-stripping, and air sealing.

24 (vi) Replacement or modification of lighting fixtures to reduce
25 the energy use of the lighting system.

26 (vii) Energy recovery systems.

27 (viii) Day lighting systems.

28 (ix) Installation or upgrade of electrical wiring or outlets to
29 charge a motor vehicle that is fully or partially powered by

1 electricity.

2 (x) Measures to reduce the usage of water or increase the
3 efficiency of water usage.

4 (xi) Any other installation or modification of equipment,
5 devices, or materials approved as a utility cost-savings measure by
6 the governing body.

7 (e) "Energy project" means the installation or modification of
8 an energy efficiency improvement or the acquisition, installation,
9 or improvement of a renewable energy system or anaerobic digester
10 energy system.

11 (f) "Governing body" means the county board of commissioners
12 of a county, the township board of a township, or the council or
13 other similar elected legislative body of a city or village.

14 (g) "Local unit of government" means a county, township, city,
15 or village.

16 (h) "Person" means an individual, firm, partnership,
17 association, corporation, unincorporated joint venture, or trust,
18 organized, permitted, or existing under the laws of this state or
19 any other state, including a federal corporation, or a combination
20 thereof. However, person does not include a local unit of
21 government.

22 (i) "Property" means privately owned ~~commercial or industrial~~
23 real property located within the local unit of government.

24 (j) "Property assessed clean energy program" or "program"
25 means a program as described in section 5(2).

26 (k) "Record owner" means the person or persons possessed of
27 the most recent fee title or land contract vendee's interest in
28 property as shown by the records of the county register of deeds.

29 (l) "Renewable energy resource" means a resource that naturally

1 replenishes over a human, ~~not~~**rather than** a geological, time frame,
2 and that is ultimately derived ~~from solar power, water power, or~~
3 ~~wind power. Renewable energy resource does not include petroleum,~~
4 ~~nuclear, natural gas, or coal. A renewable energy resource comes~~
5 ~~from the sun or from thermal inertia of the earth, and minimizes~~
6 ~~the output of toxic material in the conversion of the~~**which to a**
7 **usable form of energy and minimizes the output of toxic materials.**
8 **Renewable energy resource does not include petroleum, nuclear**
9 **material, natural gas, or coal. Renewable energy resource** includes,
10 but is not limited to, all of the following:

11 (i) Biomass.

12 (ii) Solar and solar thermal energy.

13 (iii) Wind energy.

14 (iv) Geothermal energy.

15 (v) Methane gas captured from a landfill.

16 (m) "Renewable energy system" means a fixture, product,
17 device, or interacting group of fixtures, products, or devices on
18 the customer's side of the meter that use 1 or more renewable
19 energy resources to generate electricity. Renewable energy system
20 includes a biomass stove but does not include an incinerator or
21 digester.