55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY
Rachel A. Black

AN ACT
RELATING TO LOCAL GOVERNMENT; ELIMINATING AUTHORITY FOR COUNTY
SOLAR ENERGY IMPROVEMENT SPECIAL ASSESSMENTS TO BE IMPOSED ON
RESIDENTIAL PROPERTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 4-55C-2 NMSA 1978 (being Laws 2009,
Chapter 270, Section 2) is amended to read:

"4-55C-2. DEFINITIONS.--As used in the Solar Energy
Improvement Special Assessment Act:

A. "county" means a county, including an H class
county;

B. "eligible solar energy improvement" means a
photovoltaic or solar thermal system installed on [residential
commercial property;

C. "photovoltaic system" means an energy system
that collects or absorbs sunlight for conversion into electricity; and

D. "solar thermal system" means an energy system that collects or absorbs solar energy for conversion into heat for the purposes of space heating, space cooling or water heating."

SECTION 2. Section 4-55C-3 NMSA 1978 (being Laws 2009, Chapter 270, Section 3, as amended) is amended to read:

"4-55C-3. ORDINANCE IMPOSING SOLAR ENERGY IMPROVEMENT SPECIAL ASSESSMENT.--

A. The board of county commissioners of a county may provide by ordinance for a solar energy improvement special assessment to be imposed on a [residential or] commercial property within the boundaries of the county if the owner of the property requests the assessment.

B. A solar energy improvement special assessment may be imposed on commercial property within the boundaries of an incorporated municipality in a county if the municipality adopts an ordinance approving the application of the county's ordinance within the incorporated municipality.

C. The purpose of the solar energy improvement special assessment shall be to increase access to the benefits of solar technology improvements by participation in a voluntary special assessment on property, which can be used to facilitate financing arrangements for the eligible solar energy
improvements."

SECTION 3. APPLICABILITY.--The provisions of this act apply to solar energy improvement special assessments imposed on or after July 1, 2021.

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