

Regular Session, 2014

HOUSE BILL NO. 528

BY REPRESENTATIVE PIERRE

ENERGY/ALTERNATE: Requires any contract to put solar panels on residential property contain certain information

1 AN ACT

2 To enact R.S. 51:1428, relative to agreements to install solar panels; to require that any
3 contracts to place solar panels on residential property contain specific items in the
4 agreement; to provide relative to unfair trade practices; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 51:1428 is hereby enacted to read as follows:

8 §1428. Agreement to install solar panels; requirements

9 A. Any agreement or contract to install solar panels on any residential
10 property shall clearly state the following, at minimum, in writing:

11 (1) Ownership terms.

12 (2) The parties' obligations and rights pertaining to maintenance, repair, and
13 replacement of the system.

14 (3) The parties' obligations pertaining to insurance requirements including
15 the type of insurance coverage required and the named insureds.

16 (4) The processes and consequences regarding defaults and early termination
17 of the contract.

18 (5) The party or parties responsible for obtaining any required governmental
19 approvals.

1 (6) The party who owns any tax credits or will avail himself to any
2 governmental incentives.

3 (7) The party who is responsible for payment of any taxes due on or related
4 to the system or its installation.

5 (8) A statement that any lien placed on the property by the solar panel
6 installer, any subcontractors of the installer, or an independent contractor with
7 potential lien rights shall be subordinate to all liens in existence at the time the lien
8 is filed and a first mortgage on the property recorded after such filing.

9 B. Any violation of this Section shall be an unfair method of competition and
10 unfair practice or act and shall subject the violator to any and all actions and
11 penalties provided in this Chapter. For the purposes of this Section, a violation shall
12 occur each time such a contract is executed.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Pierre

HB No. 528

Abstract: Provides relative to agreements between property owners and parties installing solar panels.

Proposed law requires any agreement to install solar panels on any residential property shall clearly state the rights and responsibilities of all involved parties including ownership terms, maintenance responsibilities, insurance requirements, and tax responsibilities.

Proposed law provides that violation of proposed law shall be an unfair method of competition and unfair practice or act and shall subject the violator to any and all actions and penalties provided in the Unfair Trade Practices and Consumer Protection Law.

(Adds R.S. 51:1428)