AN ACT to:

(1) authorize the Director of the Department of Environmental Protection to administer a program to provide financial incentives to buyers of certain types of electricity;

(2) authorize the Director of Finance to make certain payments to buyers, or providers, of certain types of electricity after certification by the Director of the Department of Environmental Protection; and

(3) generally establish a County program to reward buyers of electricity produced by clean renewable sources.

By adding

Montgomery County Code
Chapter 18A, Energy Policy
Section 18A-11, Clean Energy Rewards Program

The County Council for Montgomery County, Maryland approves the following Act:
Sec. 1. Chapter 18A is amended by adding Section 18A-11:


(a) The Director of the Department of Environmental Protection must establish a Clean Energy Rewards Program. The purpose of the program is to provide financial and other incentives to consumers who choose electricity produced by renewable and environmentally preferable power sources.

(b) The Director must require each eligible person or supplier to submit an application for any payment under this program, and may take any other action necessary to administer this program. The Department of Finance must take actions necessary to make any payments that the Director of Environmental Protection has certified are due. The County Executive must issue regulations under Method (1) to implement this Section.

(c) The Executive must adopt program regulations that:

1. identify the types of electricity that qualify for incentives under the program;

2. restrict or preclude the payment of incentives for purchase of otherwise qualified electricity that a consumer or supplier is required to buy or produce to meet certain federal or state requirements:

3. specify the process to apply for, certify, and receive an award; and

4. include any additional program criteria, standards, and procedures that are consistent with the County’s energy and environmental policy, which among other things may restrict the location or air shed where any qualified electricity is produced.
The County Council must establish by resolution the maximum amount of any incentive offered and the time period during which the incentive will be offered. The maximum incentive may be calculated by total payments, payment per quantity of electricity bought, or any other reasonable measurement.

Any incentive payment to individual applicants may be paid on a fiscal year or calendar year basis, or at any other convenient time.

A person who submits a false or fraudulent application or withholds material information to obtain a payment under this [[Article]] Section has committed a Class A violation. In addition, the person must repay the County for all amounts improperly paid, and all accrued interest and penalties that would apply to those amounts as if they were overdue taxes. A person who violates this Section is liable for all court costs and expenses of the County in any civil action brought by the County to recover any payment, interest, or penalty. The County may collect any amount due, and otherwise enforce this [[Article]] Section, by any appropriate legal action.

Approved:

Thomas E. Perez, President, County Council

Date

Douglas M. Duncan, County Executive

Date

This is a correct copy of Council action.

Elda M. Dodson, CMC, Acting Clerk of the Council

Date