

HOUSE No. 4393

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to Energy Efficiency of Residential Properties..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 1. Chapter 25A of the General Laws is hereby amended by adding the following
2 section:-

3 Section 16. Any city, town or county may establish a residential energy preservation fund
4 for the purpose of loaning money to residential property owners to improve the energy efficiency
5 of their property. Repayment of the loan shall be governed by a betterment agreement between
6 the city, town or county and the owner of the residential property.

7 The legislative body of a city, town or county may submit to their voters the question of
8 whether to designate said entities as a clean energy assessment district. In such a district, only
9 those property owners who have entered into written agreements with the city, town or county
10 would be subject to a special assessment.

11 Upon a vote of approval by a majority of the qualified voters of the city, town or county
12 voting at an annual or special election duly warned for that purpose, the city, town or county may
13 incur indebtedness for or otherwise fund projects relating to renewable energy efficiency as

defined by or undertaken by owners of real property within the boundaries of the city, town or county.

Upon an affirmative vote made pursuant to the previous paragraph, an owner of real property within the boundaries of a clean energy assessment district may enter into a written agreement with the city, town or county that shall constitute the owner's consent to be subject to a special assessment.

The owners of real property who have entered into written agreements with the city, town or county shall be obligated to cover the costs of operating the district. A city, town or county may use other available funds to operate the district.

A property owner who has entered into a written agreement with the city, town or county may enter into a private agreement for the installation or construction of a project relating to removable energy.

A city, town or county that incurs indebtedness for or otherwise finances projects under the section shall not be liable for the failure of performance of a project.

Two or more cities, towns and counties, by vote of their respective legislative bodies may establish and enter into agreements for incurring indebtedness or otherwise financing projects under this section.