

MUNICIPAL UTILITY RESIDENTIAL CLEAN ENERGY PROGRAM (EXCERPT)
Act 408 of 2014

460.969 Residential clean energy program; administration; loans; payment; shut off for nonpayment of per-meter charge; obligation to run with the land.

Sec. 9. (1) A residential clean energy program may be administered by a nonprofit corporation, including, but not limited to, a nonprofit corporation formed under section 40 of the home rule city act, 1909 PA 279, MCL 117.40. The nonprofit corporation's administration of the program may be funded by money appropriated by the municipality, transferred from the municipality's electric utility, if any, or provided by private sources.

(2) A residential clean energy program may provide for financing energy projects through loans made to property owners by the municipal electric utility, by a nonprofit corporation described in subsection (1), or by commercial lenders. Loans by commercial lenders may be facilitated by the nonprofit corporation.

(3) If a nonprofit corporation makes loans to owners of property under subsection (2), all of the following apply:

(a) Interest shall be charged on the unpaid balance at a rate of not more than the adjusted prime rate as determined under section 23 of 1941 PA 122, MCL 205.23, plus 4%.

(b) A loan shall be repaid in monthly installments, subject to section 11(1)(i).

(c) The lender shall comply with all state and federal laws applicable to the extension of credit for home improvements.

(4) The program may provide for billing customers of the municipal electric utility any fees under section 11(1)(h)(ii) and the monthly installment payments as a per-meter charge on the bill for electric services. The payment shall be considered part of the charges for electric services to the property for purposes of enforcement as provided under section 21 of the revenue bond act of 1933, 1933 PA 94, MCL 141.121.

(5) Electric service may be shut off for nonpayment of the per-meter charge under subsection (4) in the same manner and pursuant to the same procedures as used to enforce nonpayment of other charges for electric service. If notice of a loan under the program is recorded with the register of deeds for the county in which the property is located, the obligation to pay the per-meter charge shall run with the land and be binding on future customers contracting for electric service to the property.

History: 2014, Act 408, Imd. Eff. Dec. 30, 2014.