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**HOUSE BILL NO. 351**

Offered January 12, 2022

Prefiled January 11, 2022

A *BILL to amend the Code of Virginia by adding in Chapter 17 of Title 45.2 an article numbered 9, consisting of sections numbered 45.2-1734, 45.2-1735, and 45.2-1736, relating to creation of the Driving Decarbonization Program and Fund.*

Patron—Sullivan

Referred to Committee on Agriculture, Chesapeake and Natural Resources

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Chapter 17 of Title 45.2 an article numbered 9, consisting of sections numbered 45.2-1734, 45.2-1735, and 45.2-1736, as follows:**

*Article 9.**Driving Decarbonization Program.***§ 45.2-1734. Definitions.**

*As used in this article, unless the context requires a different meaning:*

*"Historically economically disadvantaged community" has the same meaning as provided in § 56-576.*

*"Non-utility costs" means all electrical service equipment not owned and operated by a utility, including distribution sections of the main electrical switchgear, electrical feeders, breakers, conduits, secondary cables, electric vehicle service equipment, equipment foundations, and any associated civil construction such as driveways, sidewalks, surface markings, ramps, and vehicular barriers.*

*"Program" means the Driving Decarbonization Program established pursuant to § 45.2-1735.*

*"Utility costs" means all utility-owned and utility-operated electrical equipment between the main overhead or underground power lines and the customer electrical revenue meter.*

**§ 45.2-1735. Driving Decarbonization Program established.**

A. *There is hereby created the Driving Decarbonization Program to assist private developers with non-utility costs associated with installation of electric vehicle charging stations. The Program shall be administered by the Department, and the Department shall establish guidelines for the administration of the Program, including guidelines related to the application for and award of grants pursuant to this article.*

B. *Subject to availability of funds in the Fund, a private developer shall be eligible to apply for grants equal to:*

*1. Seventy percent of the developer's non-utility costs for charging stations installed in historically economically disadvantaged communities in the Commonwealth; and*

*2. Fifty percent of the developer's non-utility costs for charging stations installed in any other area of the Commonwealth.*

C. *The total aggregate amount of grants awarded pursuant to subsection B shall not exceed \$20 million in any fiscal year. Out of such amount, \$5 million shall be reserved for grants awarded pursuant to subdivision B 1.*

**§ 45.2-1736. Driving Decarbonization Fund.**

*There is hereby created in the state treasury a special nonreverting fund to be known as the Driving Decarbonization Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All funds appropriated for such purpose and any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of the Program established pursuant to § 45.2-1735. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Director.*