

HB 1721-FN - AS INTRODUCED

2026 SESSION

26-2960

06/08

HOUSE BILL **1721-FN**

AN ACT relative to limiting new system enrollment and adjusting compliance payments under the renewable portfolio standard program.

SPONSORS: Rep. Harrington, Straf. 18; Rep. Berezny, Graf. 11; Rep. Bernardy, Rock. 36; Rep. Sabourin dit Choiniere, Rock. 30

COMMITTEE: Science, Technology and Energy

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ANALYSIS

This bill:

- I. Limits renewable energy certificate (REC) eligibility to systems qualified before 2026.
- II. Caps REC duration at 20 years.
- III. Requires the department of energy to revise REC standards or halt new enrollments.
- IV. Mandates annual reductions in alternative compliance payments as eligible systems decline.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty-Six*

AN ACT                   relative to limiting new system enrollment and adjusting compliance payments under the renewable portfolio standard program.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1           1 New Section; Renewable Portfolio Standard Eligibility and Credits; Renewable Energy  
2 Certificates. Amend RSA 362-F by inserting after section 6 the following new section:

3           362-F:6-a Renewable Portfolio Standard Eligibility and Credits.

4           I. Renewable energy systems that began operation prior to the effective date of this section  
5 shall remain eligible to enroll in the renewable portfolio standard and receive renewable energy  
6 certificates (RECs). Any additional systems that begin operation within 6 months after the effective  
7 date shall also be eligible. After that 6-month period, no new renewable energy systems shall be  
8 eligible to enroll in the renewable portfolio standard or to receive RECs.

9           II. For systems already qualified and receiving RECs prior to July 1, 2026:

10           (a) The maximum lifetime eligibility for any system to receive RECs shall be 20 years.

11           (b) Any system that has already received RECs for more than 15 years as of the effective  
12 date of this section shall be eligible for up to 5 additional years of REC credits.

13           III. On an annual basis, the department of energy shall reduce the alternative compliance  
14 payment requirements under RSA 362-F:10 annually as the number of eligible systems declines.

15           2 Effective Date. This act shall take effect July 1, 2026.

**HB 1721-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT relative to limiting new system enrollment and adjusting compliance payments under the renewable portfolio standard program.

**FISCAL IMPACT:**

<b>Estimated State Impact</b>				
	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>
<b>Revenue</b>	\$0	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease
<i>Revenue Fund(s)</i>	Renewable Energy Fund			
<b>Expenditures*</b>	\$0	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease
<i>Funding Source(s)</i>	Renewable Energy Fund			
<b>Appropriations*</b>	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

\*Expenditure = Cost of bill

\*Appropriation = Authorized funding to cover cost of bill

**METHODOLOGY:**

This bill limits new system eligibility under the Renewable Portfolio Standard (RPS) by prohibiting any renewable energy system from enrolling after 6 months following the effective date of the bill. It caps renewable energy certificate (REC) eligibility for existing systems at 20 years, permits up to 5 additional years for systems already beyond 15 REC-eligible years, and requires the Department of Energy to annually reduce Alternative Compliance Payment (ACP) requirements as eligible REC-producing systems decline.

The Department of Energy states this bill modifies existing REC oversight duties but can be implemented within the Department’s current administrative structure. However, because ACP revenue fully funds the Renewable Energy Fund (REF), the Department states that limiting REC eligibility and mandating annual ACP reductions will likely decrease REF revenue over time. Reductions in ACP revenue would result in proportional decreases in REF-funded programs and could eventually eliminate the REF entirely. The average ACP revenue into the REF over the past five years has been approximately \$6.7 million per year. The Department of Energy reports that nine full-time positions across the Sustainable Division, Office of Energy Innovation, Division of Administration, and Policy and Programs Division are currently funded entirely from the REF. These positions support REC certification, RPS compliance review, group

net-metering application processing, RPS-related rulemaking, administration of all REF grant and rebate programs, and oversight of low-moderate income initiatives. As REF revenue decreases, these positions would no longer have a funding source.

**AGENCIES CONTACTED:**

Department of Energy