

STATE OF NEW YORK

8415

IN SENATE

January 29, 2024

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the executive law, in relation to residential solar and energy storage permitting

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 1 of section 381 of the executive law is
2 amended by adding a new paragraph k to read as follows:

3 k. (i) standards and procedures requiring:

4 (A) all municipalities with a population of five thousand or more to
5 implement SolarAPP plus by January first, two thousand twenty-six, for
6 features supporting residential building permits for solar photovoltaic
7 systems, energy storage systems paired with a residential solar energy
8 system, main electric panel upgrades, and main electric panel derates.
9 The authority may make available state or federal funds to provide
10 financial or technical support to municipalities implementing SolarAPP
11 plus.

12 (B) a municipality to report to the authority on or before January
13 first, two thousand twenty-six certifying its compliance with clause (A)
14 of this subparagraph. Municipalities that fail to comply with the time-
15 frames in clause (A) of this subparagraph may be ineligible for funding
16 opportunities offered by the authority. The authority may, in its sole
17 discretion, condition or deny a municipality direct funding from any of
18 its programs if it is not in compliance with this paragraph. The author-
19 ity shall make the status of a municipality's compliance with the
20 provisions of this paragraph publicly available on its website.

21 (ii) As used in this paragraph, the following terms shall have the
22 following meanings:

23 (A) "Authority" means the New York state energy research and develop-
24 ment authority.

25 (B) "Residential energy storage system" means commercially available
26 technology, located behind a customer's residential utility meter, that
27 is capable of absorbing electricity generated from a co-located elec-

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 tricity generator or from the electrical grid, storing it for a period
2 of time, and thereafter discharging it to meet the energy or power needs
3 of the host customer or for export.

4 (C) "Residential solar energy system" means any configuration of solar
5 energy devices that collects and distributes solar energy for the
6 purpose of generating electricity and that has a single residential
7 interconnection with the electrical grid.

8 (D) "SolarAPP plus" means the most recent version of a web-based
9 portal, developed by the national renewable energy laboratory, that
10 automates plan review, produces code-compliant approvals, and issues
11 permits for solar energy systems and energy storage systems.

12 § 2. This act shall take effect immediately.