

STATE OF NEW YORK

6270--C

2025-2026 Regular Sessions

IN ASSEMBLY

March 3, 2025

Introduced by M. of A. CUNNINGHAM, SIMON, SHRESTHA, SCHIAVONI, ROSENTHAL, K. BROWN, DAIS, SIMONE, HEVESI, TAYLOR, LASHER, SEAWRIGHT, OTIS, RAJKUMAR, PAULIN, GIBBS, BENDETT, FORREST, TAPIA, GALLAGHER, R. CARROLL, STIRPE, EACHUS, LUPARDO, LUNSFORD, MEEKS, WEPRIN, DAVILA, JACOBSON, WOERNER, CONRAD, LEE, CLARK, SOLAGES, ROZIC, McDONALD, BORES, VALDEZ, LAVINE, P. CARROLL, BENEDETTO, BRONSON, SAYEGH, BURKE, HUNTER, DINOWITZ, RAGA, KAY, SLATER, BURROUGHS, WALKER, LEVENBERG, RIVERA, BURDICK, MORENO, BICHOTTE HERMELYN, DILAN, SHIMSKY, HOOKS, MAGNARELLI, WRIGHT, CASHMAN -- read once and referred to the Committee on Energy -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Energy in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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. Paragraphs i and j of subdivision 1 of section 381 of the
2 executive law, paragraph i as amended and paragraph j as added by
3 section 3 of part T of chapter 57 of the laws of 2023, are amended and a
4 new paragraph k is added to read as follows:
5 i. standards and procedures for measuring the rate of compliance with
6 the state energy conservation construction code, and provisions requir-
7 ing that such rate of compliance be measured on an annual basis; [~~and~~]
8 j. procedures requiring the documentation of compliance with regu-
9 lations adopted pursuant to section thirteen hundred seventy-seven of
10 the public health law as a condition to issuance of a certificate of
11 occupancy or certificate of compliance following a periodic fire safety
12 and property maintenance inspection for multiple dwellings[~~-~~]; and

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

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1 k. (i) standards and procedures requiring:

2 (A) any authority having jurisdiction over a population exceeding five
3 thousand residents to adopt a residential automated solar permitting
4 platform by June thirtieth, two thousand twenty-seven, if such a plat-
5 form without any initial fee or subscription fee to the authority having
6 jurisdiction is available. The authority having jurisdiction shall
7 anticipate that the residential automated solar permitting platform will
8 have the capability to process at least seventy-five percent of residen-
9 tial solar applications for existing construction submitted to authori-
10 ties having jurisdiction in the state.

11 (B) (1) authorities having jurisdiction to submit compliance reports
12 to the department within sixty days of achieving compliance with clause
13 (A) of this subparagraph, which shall include, but not be limited to:

14 (I) the date of compliance;

15 (II) the software or a combination of software used for compliance;

16 (III) confirmation that the authority having jurisdiction is using a
17 residential automated solar permitting platform to instantly issue
18 permits and permit revisions for residential solar photovoltaic systems;
19 and

20 (IV) an explanation for why the authority having jurisdiction antic-
21 ipates the residential automated solar permitting platform has the capa-
22 bility to process at least seventy-five percent of the residential solar
23 photovoltaic permit applications on existing construction submitted to
24 authorities having jurisdiction in the state. This explanation may be
25 based on, but is not necessarily limited to, statements from the soft-
26 ware provider of the residential automated solar permitting platform.

27 (2) The department may establish guidelines for the reports pursuant
28 to item one of this clause.

29 (3) The department may determine the accuracy of the authority having
30 jurisdiction's report of compliance pursuant to clause one of this
31 subparagraph. The department may also make such findings publicly avail-
32 able and may take necessary actions to enforce compliance with clause
33 (A) of this subparagraph based on such findings.

34 (C) (1) authorities having jurisdiction to submit annual reports to
35 the department on the usage of the residential automated solar permit-
36 ting platform. Between April first, two thousand twenty-eight and April
37 first, two thousand thirty-seven, each authority having jurisdiction
38 shall submit such reports annually by April first covering the previous
39 calendar year. The department may establish guidelines for these
40 reports. Such reports shall include the following:

41 (I) the number of permits issued through the residential automated
42 solar permitting platform and relevant characteristics of those systems;

43 (II) the number of residential photovoltaic solar permits issued by
44 means other than the residential automated solar permitting platform and
45 relevant characteristics of those systems;

46 (III) the software or combination of software used for compliance;

47 (IV) confirmation that the authority having jurisdiction is using a
48 residential automated solar permitting platform to issue permits
49 instantly and issue permit revisions instantly for residential solar
50 photovoltaic systems; and

51 (V) a plan to increase usage of the residential automated solar
52 permitting platform if fewer than seventy-five percent of residential
53 solar photovoltaic permits are issued through the automated permitting
54 platform on existing construction.

55 (2) The department may determine the accuracy of the authority having
56 jurisdiction's annual report pursuant to item one of this clause. The

1 department may also make such findings publicly available and may take
2 necessary actions to enforce compliance with clause (A) of this subpara-
3 graph based on such findings.

4 (D) authorities having jurisdiction over a population exceeding five
5 thousand residents to provide an option for remote inspections via
6 recorded video or photo that can be submitted electronically for
7 projects permitted by the residential automated solar permitting plat-
8 form. Such inspections shall be offered at no greater cost and with no
9 greater delay than in-person inspections.

10 (ii) An authority having jurisdiction that does not require a permit
11 for residential photovoltaic solar systems is exempt from the require-
12 ments of this paragraph.

13 (iii) As used in this paragraph, the following terms shall have the
14 following meanings:

15 (A) "Department" means the New York state energy research and develop-
16 ment authority.

17 (B) "Residential automated solar permitting platform" means software
18 or a combination of software designed to automate plan review, generate
19 code-compliant approvals, accept online payments for permitting fees, if
20 applicable, and instantly issue permits and permit revisions for resi-
21 dential photovoltaic systems upon online submission of a code-compliant
22 application and payment of any required fees. Such platform shall be
23 available for residential photovoltaic systems up to the maximum capaci-
24 ty allowed with a two hundred amp main service disconnect, installed in
25 accordance with the residential code of New York state, as updated, that
26 may also include an energy storage system up to the maximum capacity
27 allowed under the residential code of New York state, a main panel
28 upgrade, and/or a main breaker derate.

29 (C) "Authority having jurisdiction" shall refer to any city, town,
30 village, county, or other governmental unit or agency responsible for
31 the administration and enforcement of the uniform fire prevention and
32 building code and the state energy conservation construction code, as
33 defined in 19 NYCRR, section 1203.1, as updated.

34 § 2. This act shall take effect immediately.