

STATE OF NEW YORK

9111--C

2025-2026 Regular Sessions

IN ASSEMBLY

September 26, 2025

Introduced by M. of A. GALLAGHER, KELLES, TAPIA, VALDEZ, SHRESTHA, SCHIAVONI, LEVENBERG, R. CARROLL, SIMON, FORREST, ROSENTHAL, LASHER, RAGA, MITAYNES, SHIMSKY, CUNNINGHAM, SEAWRIGHT, BORES, STECK, COLTON, GLICK, MORENO, REYES, TAYLOR, RAMOS, WOERNER, BRONSON, KASSAY, DINOWITZ, STIRPE, BURDICK, CLARK, McMAHON, STERN, RAJKUMAR, DILAN, McDONALD, HEVESI -- read once and referred to the Committee on Energy -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- 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 -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law and the executive law, in relation to portable solar generation devices

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "Solar Up Now NY Act".
3 § 2. Paragraph (d) of subdivision 1 of section 66-j of the public
4 service law, as amended by chapter 253 of the laws of 2013, is amended
5 and a new paragraph (j) is added to subdivision 1 to read as follows:
6 (d) "Solar electric generating equipment" means a photovoltaic system
7 (i) (A) in the case of a residential customer (other than a farm utiliz-
8 ing a residential meter), with a rated capacity of not more than twen-
9 ty-five kilowatts; (B) in the case of a customer who owns or operates a
10 farm operation as such term is defined in subdivision eleven of section
11 three hundred one of the agriculture and markets law utilizing a resi-
12 dential meter with a rated capacity of not more than one hundred kilo-
13 watts; and (C) in the case of a non-residential customer, with a rated
14 capacity of not more than two thousand kilowatts; and (ii) that is manu-
15 factured, installed, and operated in accordance with applicable govern-

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

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1 ment and industry standards, that is connected to the electric system
2 and operated in conjunction with an electric corporation's transmission
3 and distribution facilities, and that is operated in compliance with any
4 standards and requirements established under this section. Solar elec-
5 tric generating equipment shall not include a portable solar generation
6 device.

7 (j) "Portable solar generation device" means a photovoltaic system and
8 associated equipment that:

9 (i) is designed to be connected to a building's electrical system
10 through a standard electrical outlet;

11 (ii) is limited to supplying a maximum aggregate continuous AC invert-
12 er nameplate output of not more than one thousand two hundred watts to
13 the utility electric grid;

14 (iii) is listed or certified by an accredited nationally recognized
15 testing laboratory as a complete plug-in photovoltaic system to a stand-
16 ard;

17 (iv) is installed and operated in accordance with the New York state
18 fire prevention and building code and manufacturer instructions; and

19 (v) includes a mechanism or feature that prevents the system from
20 injuriously energizing the building's electrical system or the local
21 electric grid, during an electrical service outage or maintenance-relat-
22 ed service interruption.

23 § 3. Subdivision 7 of section 66-j of the public service law is renum-
24 bered subdivision 8 and a new subdivision 7 is added to read as follows:

25 7. Portable solar generation device. Unless the owner of a portable
26 solar generation device shall choose to voluntarily enter into an inter-
27 connection or net metering agreement pursuant to this section:

28 (a) A portable solar generation device shall not be subject to inter-
29 connection or net metering requirements. Any energy exported to the
30 utility electric grid shall be uncompensated unless the customer volun-
31 tarily enters a net metering or other compensation agreement.

32 (b) An electric corporation shall not require a customer using a port-
33 able solar generation device to:

34 (i) obtain the electric corporation's approval before installing or
35 using the device;

36 (ii) pay any fee or charge related to the device or for feeding energy
37 back into the utility electric grid; or

38 (iii) install any additional controls or equipment beyond what is
39 integrated into the device.

40 (c) An electric corporation shall not be liable for any damage or
41 injury caused by a portable solar generation device to the extent the
42 electric corporation would not otherwise be liable under the law.

43 (d) Within thirty days of installing a portable solar generation
44 device, the owner of such device shall notify the electric corporation
45 serving the building in which such device will be installed. Within
46 thirty days of the effective date of this subdivision, every electric
47 corporation shall develop and make available on the electric corpo-
48 ration's website a simple notification form, which shall require only
49 the following information:

50 (i) the customer's name and contact information;

51 (ii) the service address and utility account number associated with
52 the address at which the device will be installed;

53 (iii) the device make and model; and

54 (iv) the device rated size.

55 § 4. Section 378 of the executive law is amended by adding a new
56 subdivision 21 to read as follows:

1 21. When adopting a new code after the effective date of this subdivi-
2 sion, the state uniform fire prevention and building code shall be opti-
3 mized to allow for portable solar generation devices, as defined in
4 section sixty-six-j of the public service law, to be connected to a
5 building's wiring through an electrical outlet.

6 § 5. This act shall take effect on the ninetieth day after it shall
7 have become a law.