

# STATE OF NEW YORK

6882

2025-2026 Regular Sessions

## IN SENATE

March 26, 2025

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the general municipal law, in relation to siting of carport-mounted solar energy systems

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

1 Section 1. The general municipal law is amended by adding a new arti-  
2 cle 5-M to read as follows:

### ARTICLE 5-M

#### CARPORT-MOUNTED SOLAR ENERGY SYSTEMS

##### Section 119-hh. Legislative intent.

##### 119-ii. Carport-mounted solar energy systems.

7 § 119-hh. Legislative intent. The legislature hereby declares that it  
8 is the policy of this state to foster and encourage the development of  
9 solar energy generating systems, to take advantage of a safe, abundant,  
10 renewable and non-polluting energy resource; to decrease the cost of  
11 electricity to the owners of residential and commercial properties,  
12 including single-family houses; to increase employment and business  
13 development in the state, to the extent reasonably practical, by  
14 furthering the installation of solar energy systems; and to provide for  
15 the development of solar energy systems in non-residential zoning  
16 districts and mixed commercial and residential zoning districts.

17 § 119-ii. Carport-mounted solar energy systems. 1. For the purposes of  
18 this article "carport-mounted solar energy system" shall mean a solar  
19 energy system not to exceed five megawatts of generating capacity which  
20 is located and mounted on a roof or structure above real property exclu-  
21 sively in use for vehicle parking.

22 2. No local government shall under any zoning ordinance, zoning law,  
23 or law or ordinance of general applicability which determines permissi-

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

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1 ble uses in city, town, or village zoning districts, prohibit the  
2 construction, installation, or operation of a carport-mounted solar  
3 energy system with a nameplate capacity of five megawatts or less, in  
4 any non-residential zoning district or mixed commercial and residential  
5 zoning district of any such city, town or village, provided however, if  
6 the zoning district is a certified agricultural district the agricul-  
7 tural impacts of the projects shall be minimized to the extent practica-  
8 ble.

9 § 2. This act shall take effect on the first of January next succeed-  
10 ing the date on which it shall have become a law.