# STATE OF NEW YORK

8512--C

Cal. No. 698

2025-2026 Regular Sessions

# IN SENATE

September 24, 2025

Introduced by Sens. KRUEGER, BRISPORT, BROUK, COMRIE, FAHY, FERNANDEZ, GONZALEZ, GOUNARDES, HARCKHAM, HINCHEY, JACKSON, KAVANAGH, LIU, MAY, MAYER, MYRIE, SALAZAR, SANDERS, SERRANO, SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Energy and Telecommunications in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged and said bill committed to the Committee on Rules -- reported favorably from said committee, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

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:**

Section 1. Short title. This act shall be known and may be cited as the "Solar Up Now NY Act".

§ 2. Paragraph (d) of subdivision 1 of section 66-j of the public service law, as amended by chapter 253 of the laws of 2013, is amended and a new paragraph (j) is added to subdivision 1 to read as follows:

(d) "Solar electric generating equipment" means a photovoltaic system (i) (A) in the case of a residential customer (other than a farm utilizing a residential meter), with a rated capacity of not more than twenty-five kilowatts; (B) in the case of a customer who owns or operates a farm operation as such term is defined in subdivision eleven of section three hundred one of the agriculture and markets law utilizing a residential meter with a rated capacity of not more than one hundred kilowatts; and (C) in the case of a non-residential customer, with a rated

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

LBD13786-12-6

capacity of not more than two thousand kilowatts; and (ii) that is manufactured, installed, and operated in accordance with applicable government and industry standards, that is connected to the electric system and operated in conjunction with an electric corporation's transmission and distribution facilities, and that is operated in compliance with any standards and requirements established under this section. **Solar electric generating equipment shall not include a portable solar generation device.**

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

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

**(ii) is limited to supplying a maximum aggregate continuous AC inverter nameplate output of not more than one thousand two hundred watts to the utility electric grid;**

**(iii) is listed or certified by an accredited nationally recognized testing laboratory as a complete plug-in photovoltaic system to a standard;**

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

**(v) includes a mechanism or feature that prevents the system from injuriously energizing the building's electrical system or the local electric grid, during an electrical service outage or maintenance-related service interruption.**

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

**7. Portable solar generation device. Unless the owner of a portable solar generation device shall choose to voluntarily enter into an interconnection or net metering agreement pursuant to this section:**

**(a) A portable solar generation device shall not be subject to interconnection or net metering requirements. Any energy exported to the utility electric grid shall be uncompensated unless the customer voluntarily enters a net metering or other compensation agreement.**

**(b) An electric corporation shall not require a customer using a portable solar generation device to:**

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

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

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

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

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

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

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

**(iii) the device make and model; and**

**(iv) the device rated size.**

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

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

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