

STATE OF NEW YORK

6270

2025-2026 Regular Sessions

IN ASSEMBLY

March 3, 2025

Introduced by M. of A. CUNNINGHAM, SIMON -- read once and referred to the Committee on Energy

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, as amended by section 3 of part T of chapter 57 of the
3 laws of 2023, are amended and a new paragraph k is added to read as
4 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

13 k. (i) standards and procedures requiring:

14 (A) all municipalities with a population of five thousand or more to
15 implement SolarAPP plus by January first, two thousand twenty-seven, for
16 features supporting residential building permits for solar photovoltaic
17 systems, energy storage systems paired with a residential solar energy
18 system, main electric panel upgrades, and main electric panel derates.
19 The authority may make available state or federal funds to provide
20 financial or technical support to municipalities implementing SolarAPP
21 plus.

22 (B) a municipality to report to the authority on or before January
23 first, two thousand twenty-seven certifying its compliance with clause
24 (A) of this subparagraph. Municipalities that fail to comply with the
25 timeframes in clause (A) of this subparagraph may be ineligible for

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

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1 funding opportunities offered by the authority. The authority may, in
2 its sole discretion, condition or deny a municipality direct funding
3 from any of its programs if it is not in compliance with this paragraph.
4 The authority shall make the status of a municipality's compliance with
5 the provisions of this paragraph publicly available on its website.

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

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

10 (B) "Residential energy storage system" means commercially available
11 technology, located behind a customer's residential utility meter, that
12 is capable of absorbing electricity generated from a co-located elec-
13 tricity generator or from the electrical grid, storing it for a period
14 of time, and thereafter discharging it to meet the energy or power needs
15 of the host customer or for export.

16 (C) "Residential solar energy system" means any configuration of solar
17 energy devices that collects and distributes solar energy for the
18 purpose of generating electricity and that has a single residential
19 interconnection with the electrical grid.

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

24 § 2. This act shall take effect immediately, provided, however, that
25 the amendments to paragraphs i and j of subdivision 1 of section 381 of
26 the executive law made by section one of this act shall take effect on
27 the same date and in the same manner as section 3 of part T of chapter
28 57 of the laws of 2023, takes effect.