

ASSEMBLY, No. 4397

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JULY 16, 2020

Sponsored by:

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington)

SYNOPSIS

Allows installation of residential solar energy systems prior to obtaining construction permit or interconnection approval during COVID-19 emergency.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 7/16/2020)

1 **AN ACT** concerning certain permitting and interconnection
2 requirements for solar energy systems.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. As used in this act:

8 "Commissioner" means the Commissioner of Community
9 Affairs.

10 "Construction official" means a qualified person appointed by
11 the municipal appointing authority or the commissioner pursuant to
12 P.L.1975, c.217; (C.52:27D-119 et seq.) to enforce and administer
13 the State Uniform Construction Code within the jurisdiction of the
14 enforcing agency.

15 "Department" means the Department of Community Affairs.

16 "Electrical subcode official" means a qualified person appointed
17 by the municipal appointing authority or the commissioner pursuant
18 to P.L.1975, c.217; (C.52:27D-119 et seq.) to enforce and
19 administer the provisions of the electrical subcode within the
20 jurisdiction of the enforcing agency.

21 "Enforcing agency" means the enforcing agency in any
22 municipality designated to administer and enforce the "State
23 Uniform Construction Code Act" pursuant to section 8 of P.L.1975,
24 c.217 (C.52:27D-126), and regulations promulgated thereunder.

25 "Residential solar energy system" means any system which uses
26 solar energy to provide all or a portion of the heating, cooling, or
27 general energy needs of a single-family home, including, but not
28 limited to, nocturnal heat radiation, flat plate or focusing solar
29 collectors, or photovoltaic solar cells.

30 "Subcode" means any of the national model codes, parts thereof,
31 or other codes or standards as adopted by reference in rules and
32 regulations adopted by the department pursuant to P.L.1975, c.217;
33 (C.52:27D-119 et seq.).

34
35 2. Notwithstanding the provisions of P.L.1975, c.217;
36 (C.52:27D-119 et seq.), any rule or regulation adopted pursuant
37 thereto, or any local ordinance to the contrary, a person may
38 construct or install a residential solar energy system prior to filing
39 an application with a construction official or electrical subcode
40 official, or obtaining the required permit therefor, provided that:

41 a. the person obtains the required permit for the construction of
42 the residential solar energy system prior to the connection of the
43 system to any device that stores or utilizes electrical power,
44 including the interconnection of the system to the electric grid; and

45 b. the construction project is carried out in accordance with all
46 other applicable State laws and local ordinances.

1 3. Notwithstanding any provisions of P.L.1999, c.23 (C.48:3-
2 49 et seq.) or any rule or regulation adopted pursuant thereto to the
3 contrary, a person may construct or install a residential solar energy
4 system prior to applying, or receiving approval, for interconnection
5 to the electric grid from an electric public utility, provided that the
6 person receives approval from the utility prior to interconnecting
7 the system to the electric grid.

8
9 4. This act shall take effect immediately and shall expire 90
10 days after the expiration of the public health emergency related to
11 COVID-19, which was declared by the Governor pursuant to the
12 “Emergency Health Powers Act,” P.L.2005, c.222 (C.26:13-1 et
13 seq.) in March 2020.

14
15
16 STATEMENT

17
18 This bill would allow solar energy providers to construct and
19 install residential solar projects on single-family homes prior to
20 obtaining a construction permit during the duration of the public
21 health emergency caused by COVID-19. The bill would also allow
22 the residential solar energy projects to proceed prior to obtaining an
23 electric utility's approval for interconnection of the solar system to
24 the electric grid during the COVID-19 emergency. Under the bill,
25 both the construction permit and the approval for interconnection
26 would be required prior to activating the residential solar energy
27 system or connecting it to the electric grid.