

[First Reprint]

SENATE, No. 2606

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JUNE 25, 2020

Sponsored by:

Senator BOB SMITH

District 17 (Middlesex and Somerset)

Senator JAMES BEACH

District 6 (Burlington and Camden)

Assemblywoman NANCY J. PINKIN

District 18 (Middlesex)

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington)

Assemblyman CLINTON CALABRESE

District 36 (Bergen and Passaic)

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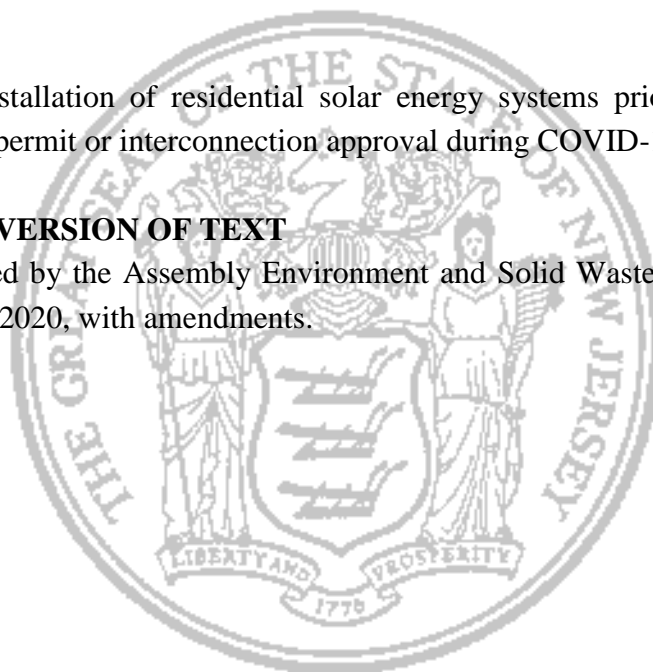
Assemblyman McKeon

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 reported by the Assembly Environment and Solid Waste Committee on December 7, 2020, with amendments.



(Sponsorship Updated As Of: 3/01/2021)

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
24 P.L.1975, c.217 (C.52:27D-126), and regulations promulgated
25 thereunder.

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

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

35

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

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

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AEN committee amendments adopted December 7, 2020.

1 including the interconnection of the system to the electric grid;
2 ¹**[and]**¹

3 b. the construction project is carried out in accordance with all
4 other applicable State laws and local ordinances ¹; and

5 c. the costs associated with any modification required by the
6 construction official or electrical subcode official after installation
7 in order to obtain the required permit shall be the responsibility of
8 the installer of the residential solar energy system¹.

9
10 3. Notwithstanding any provisions of P.L.1999, c.23 (C.48:3-
11 49 et seq.) or any rule or regulation adopted pursuant thereto to the
12 contrary, a person may construct or install a residential solar energy
13 system prior to applying, or receiving approval, for interconnection
14 to the electric grid from an electric public utility, provided that the
15 person receives approval from the utility prior to interconnecting
16 the system to the electric grid.

17 ¹The costs associated with any modification required to receive
18 approval from the utility for the interconnection of the system to the
19 electric grid shall be the responsibility of the installer of the
20 residential solar energy system.¹

21
22 4. This act shall take effect immediately and shall expire 90
23 days after the expiration of the public health emergency related to
24 COVID-19, which was declared by the Governor pursuant to the
25 “Emergency Health Powers Act,” P.L.2005, c.222 (C.26:13-1 et
26 seq.) in March 2020.