

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL DRH10615-NPa-37

Short Title: Balcony Solar.

(Public)

Sponsors: Representative Cook.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE USE OF SMALL PORTABLE SOLAR ENERGY
3 GENERATION DEVICES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 62-126.3 is amended by adding a new subdivision to read:

6 "(11a) Portable solar energy generation device. – A moveable device that generates
7 electricity from a solar photovoltaic system, limited to a capacity of not more
8 than 1.2 kilowatts (kW), and is designed to be connected to a building's
9 electrical system through a standard 120-volt alternating current outlet."

10 **SECTION 2.(a)** Article 6B of Chapter 62 of the General Statutes is amended by
11 adding a new section to read:

12 "**§ 62-126.15. Portable solar energy generation devices.**

13 (a) A customer of an electric power supplier may install and operate a portable solar
14 energy generation device, provided that all of the following requirements are met:

- 15 (1) The operation of the portable solar energy generation device is primarily
16 intended to offset part of the customer's own electricity use and not for the
17 primary purpose of producing electricity for sale to or for the public for
18 compensation.
19 (2) The installation and operation of the portable solar energy generation device
20 meets all applicable standards of the North Carolina Electrical Code.
21 (3) The portable solar energy generation device is certified by Underwriters
22 Laboratories or an equivalent nationally recognized testing laboratory.
23 (4) The portable solar energy generation device incorporates a mechanism or
24 feature that prevents the device from energizing the building's electrical
25 system during a power outage.
26 (5) The customer notifies the electric power supplier in accordance with
27 subsection (c) of this section.

28 (b) An electric power supplier shall not require a customer who operates a portable solar
29 energy generation device to do any of the following as a condition of receiving services from the
30 electric power supplier:

- 31 (1) Enter into an interconnection agreement or otherwise obtain the electric power
32 supplier's approval before installing or using the portable solar energy
33 generation device.
34 (2) Pay any fee or charge related to the installation or use of a portable solar
35 energy generation device.



1 (3) Install any additional controls or equipment beyond what is required by
2 subsection (a) of this section.

3 (c) A customer shall notify the electric power supplier, using a standardized form
4 prescribed by the Commission, at least 15 days prior to operating a portable solar energy
5 generation device.

6 (d) An electric power supplier is not liable for any damage or injury caused by a portable
7 solar energy generation device."

8 **SECTION 2.(b)** No later than 90 days after the effective date of this act, the
9 Commission shall adopt and make available a standardized notice form for customers who intend
10 to operate a portable solar energy generation device. This form shall only require a customer to
11 submit the following information to the electric power supplier for the purpose of complying
12 with the notification requirement: the customer's name and contact information, the address
13 where the portable solar energy generation device will be installed, the customer's account
14 number with the electric power supplier, and the model name and model number of the device.

15 **SECTION 3.** G.S. 62-110.1(g) reads as rewritten:

16 "(g) The certification requirements of this section shall not apply to (i) a nonutility-owned
17 generating facility fueled by clean energy resources under two megawatts in capacity; (ii) to
18 persons who construct an electric generating facility primarily for that person's own use and not
19 for the primary purpose of producing electricity, heat, or steam for sale to or for the public for
20 compensation; or (iii) a solar energy facility or a community solar energy facility, as provided by
21 and subject to the limitations of Article 6B of this Chapter. However, such persons shall be
22 required to report the proposed construction of the facility and the completion of the facility to
23 the Commission and the interconnecting public utility. Such reports shall be for informational
24 purposes only and shall not require action by the Commission or the Public Staff. The reporting
25 requirements of this subsection shall not apply to the construction or installation of a portable
26 solar energy generation device as defined in G.S. 62-126.3."

27 **SECTION 4.** G.S. 62-126.4 reads as rewritten:

28 **"§ 62-126.4. Commission to establish net metering rates.**

29 (a) Each electric public utility shall file for Commission approval revised net metering
30 rates for electric customers that (i) own a renewable energy ~~facility~~ facility, other than a portable
31 solar energy generation device, for that person's own primary use or (ii) are customer generator
32 lessees.

33 (b) The rates shall be nondiscriminatory and established only after an investigation of the
34 costs and benefits of customer-sited generation. The Commission shall establish net metering
35 rates under all tariff designs that ensure that the net metering retail customer pays its full fixed
36 cost of service. Such rates may include fixed monthly energy and demand charges.

37 (c) Until the rates have been approved by the Commission as required by this section, the
38 rate shall be the applicable net metering rate in place at the time the facility interconnects. Retail
39 customers that own and install an on-site renewable energy facility and interconnect to the grid
40 prior to the date the Commission approves new metering rates may elect to continue net metering
41 under the net metering rate in effect at the time of interconnection until January 1, 2027.

42 (d) Retail customers that operate a portable solar energy generation device without
43 otherwise owning or leasing a renewable energy facility shall not be eligible to participate in any
44 net metering tariff authorized by this section."

45 **SECTION 5.** Article 5 of Chapter 42 of the General Statutes is amended by adding
46 a new section to read:

47 **"§ 42-42.4. Tenant right to operate portable solar energy generation devices.**

48 (a) No landlord who owns more than four rental dwellings or more than ten percent (10%)
49 interest in more than four rental dwelling units, whether individually or through a business entity,
50 shall prohibit a tenant from installing a portable solar energy generation device, as defined in
51 G.S. 62-126.3, on the exterior of the tenant's premises. The landlord may, however, establish

1 reasonable restrictions concerning the size and manner of placement of a portable solar energy
2 generation device if required to prevent (i) an obstruction to a necessary egress from the building
3 or (ii) unreasonable property damage.

4 (b) A tenant shall provide notice to the landlord of their intent to install a portable solar
5 energy generation device at least seven days prior to installation. At the request of the landlord,
6 the tenant shall provide documentation of the following:

7 (1) That the installation and operation of the portable solar energy generation
8 device meets all applicable standards of the North Carolina Electrical Code.

9 (2) That the portable solar energy generation device is certified by Underwriters
10 Laboratories or an equivalent nationally recognized testing laboratory.

11 (3) That the portable solar energy generation device incorporates a mechanism or
12 feature that prevents the device from energizing the building's electrical
13 system during a power outage.

14 (c) The tenant shall be responsible for any damages sustained to the rental dwelling unit
15 or the premises as a result of any portable solar energy generation device installed pursuant to
16 this section. No landlord shall be liable for failing to maintain a fit and habitable dwelling or
17 provide an essential service under G.S. 42-42 based on a condition in the rental dwelling unit or
18 premises caused solely by the operation of a portable solar energy generation device by a tenant.

19 (d) No tenant shall utilize or install a portable solar energy generation device if it would
20 require alterations to the building's premises, wiring, or electrical panels without express written
21 approval of the tenant's landlord."

22 **SECTION 6.(a)** There is appropriated from the General Fund to the Utilities
23 Commission the sum of ten thousand dollars (\$10,000) in nonrecurring funds for the 2026-2027
24 fiscal year to be used to implement the provisions of this act.

25 **SECTION 6.(b)** This section becomes effective July 1, 2026.

26 **SECTION 7.** Except as otherwise provided, this act is effective when it becomes
27 law.