

GENERAL ASSEMBLY OF NORTH CAROLINA
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SENATE BILL DRS35431-NPa-14

Short Title: Portable-Scale Solar Energy Devices.

(Public)

Sponsors: Senators Moffitt, Lazzara, and Mayfield (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE USE OF SMALL, PORTABLE-SCALE SOLAR ENERGY
3 GENERATION DEVICES AND TO EXPAND THE PUBLIC AWARENESS PROGRAM
4 OFFERED BY THE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS.

5 The General Assembly of North Carolina enacts:

6
7 **PORTABLE-SCALE SOLAR ENERGY GENERATION DEVICES**

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

9 "(11a) Portable-scale solar energy generation device. – A solar photovoltaic system
10 and associated equipment, including a battery energy storage system, that is
11 designed or commissioned to supply a maximum power output of not more
12 than 1.92 kilowatts (kW) to the electric grid."

13 **SECTION 2.** Article 6B of Chapter 62 of the General Statutes is amended by adding
14 a new section to read:

15 **"§ 62-126.15. Portable-scale solar energy generation devices.**

16 (a) A customer of an electric power supplier may operate a portable-scale solar energy
17 generation device, provided that all of the following requirements are met:

18 (1) The operation of the portable-scale solar energy generation device is primarily
19 intended to offset the customer's own electricity use and not for the primary
20 purpose of producing electricity for sale to or for the public for compensation.

21 (2) The portable-scale solar energy generation device, if designed or
22 commissioned to supply a maximum power output exceeding 391 watts, has
23 been certified by Underwriters Laboratories or an equivalent nationally
24 recognized testing laboratory.

25 (3) The portable-scale solar energy generation device incorporates a mechanism
26 or feature that prevents the device from energizing the grid during a power
27 outage.

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

34 (2) Pay any fee or charge related to the installation or use of a portable-scale 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) An electric power supplier is not liable for any damage or injury caused by a
4 portable-scale solar energy generation device.

5 (d) Subject to the limitations of this section, an electric power supplier may offer a special
6 rate tariff to retail customers who operate a portable-scale solar energy generation device."

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

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

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

20 "**§ 62-126.4. Commission to establish net metering rates.**

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

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

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

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

37 (e) Retail customers may operate a renewable energy facility without having to elect to
38 participate in a net metering rate."

39
40 **EXPAND THE PUBLIC AWARENESS PROGRAM OFFERED BY THE BOARD OF**
41 **EXAMINERS OF ELECTRICAL CONTRACTORS**

42 **SECTION 5.** G.S. 87-50.1 reads as rewritten:

43 "**§ 87-50.1. Public awareness program.**

44 The Board shall establish and implement a public awareness program to inform the general
45 public of the purpose and function of the Board. In implementing the public awareness program,
46 the Board shall provide workforce training and education programs to raise awareness of the
47 requirements of the National Electrical Code, as incorporated in the North Carolina State
48 Building Code, to promote higher rates of compliance with these requirements."

49 **SECTION 6.(a)** There is appropriated from the General Fund to the State Board of
50 Examiners of Electrical Contractors the sum of one hundred thousand dollars (\$100,000) in
51 recurring funds beginning in the 2026-2027 fiscal year to be used by the Board for the purpose

1 of implementing the expanded public awareness program required under G.S. 87-50.1, as
2 amended by Section 5 of this act.

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

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5 **EFFECTIVE DATE**

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