

SB 540-FN - AS INTRODUCED

2026 SESSION

26-2126

06/05

SENATE BILL **540-FN**

AN ACT relative to portable solar generation devices.

SPONSORS: Sen. Watters, Dist 4; Sen. Pearl, Dist 17; Sen. Avard, Dist 12; Sen. Rosenwald, Dist 13; Sen. Perkins Kwoka, Dist 21; Sen. Murphy, Dist 16; Sen. Altschiller, Dist 24; Rep. McGhee, Hills. 35

COMMITTEE: Energy and Natural Resources

ANALYSIS

This bill:

I. Defines “portable solar generation device,” exempts them from interconnection requirements and net metering, and establishes safety standards.

II. Limits electric distribution utility liability.

III. Directs the public utilities commission to adopt rules as necessary to implement these provisions.

Explanation: Matter added to current law appears in **bold italics**.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to portable solar generation devices.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Paragraph; Definitions. Amend RSA 362-A:1-a by inserting after paragraph X the
2 following new paragraph:

- 3 XI. "Portable solar generation device" means a movable photovoltaic generation device that:
4 (a) Has a maximum power output not exceeding 1,200 watts;
5 (b) Is designed to be connected to a building's electrical system through a standard
6 120-volt receptacle;
7 (c) Is intended primarily to offset a portion of the customer's on-site electric
8 consumption.

9 2 New Section; Portable Solar Generation Devices. Amend RSA 362-A by inserting after section
10 9 the following new section:

11 362-A:10 Portable Solar Generation Devices; Exemptions; Requirements.

- 12 I. A portable solar generation device that meets the requirements of this section shall be:
13 (a) Exempt from interconnection requirements and interconnection agreements
14 applicable to generators participating in net-metering or otherwise interconnecting to export electric
15 power; and

- 16 (b) Not subject to the net energy metering provisions of RSA 362-A:9.

17 II. A portable solar generation device shall include integrated functionality that complies
18 with UL 1741 or IEEE 1547 standards, or equivalent standards, including anti-islanding protection
19 and rapid shutdown that prevent energizing a building's electrical system during a power outage.

20 III. An electric distribution utility shall not require a customer using a compliant portable
21 solar generation device to:

- 22 (a) Obtain utility approval before installing or using the device;
23 (b) Pay any fee or charge related to the device; or
24 (c) Install additional utility-specified controls or equipment beyond those integrated into
25 the device.

26 IV. Each portable solar generation device shall comply with the state building and electrical
27 code adopted under RSA 155-A:2 and shall be installed and operated in accordance with the code and
28 manufacturer instructions.

29 3 New Section; Liability. Amend RSA 374 by inserting after section 1-a the following new
30 section:

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1 374:1-b Liability for Portable Solar Generation Devices. An electric distribution utility shall not
2 be liable for damage or injury arising from a portable solar generation device installed or used by a
3 customer. Nothing in this section shall be construed to limit any cause of action against the
4 manufacturer, installer, or owner of a portable solar generation device.

5 4 Rulemaking. The public utilities commission may adopt rules under RSA 541-A as necessary
6 to implement this act and may amend existing rules under RSA 362-A:9 to clarify that portable solar
7 generation devices are non-exporting and outside net-metering and interconnection frameworks.

8 5 Effective Date. This act shall take effect January 1, 2027.

SB 540-FN- FISCAL NOTE
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AN ACT relative to portable solar generation devices.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	\$245,000	\$257,000	\$270,000
<i>Funding Source(s)</i>	Utility Assessment under RSA 363-A:1			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

This bill defines “portable solar generation devices” and exempts them from interconnection and net-metering requirements. The bill prohibits electric distribution utilities from requiring approval, fees, or additional equipment for these devices, establishes safety and code-compliance standards, limits utility liability, and authorizes the Public Utilities Commission to adopt rules to implement the act.

The Public Utilities Commission (PUC) states this bill will result in an indeterminable increase in state expenditures beginning in FY 2027. The PUC indicates additional workload associated with rulemaking and implementation may require one full-time Utility Analyst with a cost of \$127,000 in FY 2027, \$133,000 in FY 2028, and \$140,000 in FY 2026 and one full-time Attorney (Lawyer III) with a cost of \$118,000 in FY 2027, \$124,000 in FY 2028 and \$130,000 in FY 2029. This will increase expenditures funded by the utility assessment pursuant to RSA 363-A:1 by \$245,000 in FY 2027, \$257,000 in FY 2028 and \$270,000 in FY 2029. The bill does not provide funding or position authorization.

The Department of Energy states the administrative responsibilities created by this bill fall within its existing workload and can be managed with current staff and resources. As a result, no additional administrative costs are anticipated.

AGENCIES CONTACTED:

Public Utilities Commission and Department of Energy