

P.L. 2025, CHAPTER 174, *approved December 19, 2025*
Assembly, No. 5264 (*Second Reprint*)

- 1 AN ACT concerning the review and approval of residential solar
2 energy systems and supplementing P.L.1975, c.217 (C.52:27D-
3 119 et seq.).
4
- 5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
7
- 8 1. The Legislature finds and declares that:
9 a. New Jersey has adopted a goal of 100 percent clean energy by
10 2035.
11 b. Simplifying and enhancing the ability of New Jersey residents
12 to install and use solar energy systems and home batteries **'[are] is'**
13 an essential component of the State's ability to attain this clean energy
14 goal.
15 c. Residential energy bills in New Jersey are among the highest in
16 the country, imposing significant financial burdens upon New Jersey
17 residents, and thereby exacerbating the State's housing affordability
18 crisis.
19 d. Installation and use of rooftop solar energy systems is one way
20 to enable New Jersey residents to significantly reduce residential
21 electricity bills and thereby make housing more affordable.
22 e. Vestiges of outdated, overly bureaucratic permitting
23 requirements for installation of solar energy systems within New
24 Jersey cause residents to significantly delay installation efforts and
25 significantly increase costs incurred in installing residential solar
26 energy storage systems across the **'[state] State'**.
27 f. New Jersey has the fifth slowest known solar permitting
28 timelines of any state in the country.
29 g. The Solar Energy Industries Association has estimated that
30 permitting and other bureaucratic barriers within New Jersey typically
31 increase the cost of installing a residential solar energy system by
32 \$6,000 to \$7,000.
33 h. The installation costs for a residential solar energy system in the
34 United States **'[is] are'** approximately double the installation costs in
35 Europe, largely because Europe has virtually eliminated permitting
36 and other bureaucratic barriers.

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 AAP committee amendments adopted May 15, 2025.

²Assembly amendments adopted in accordance with Governor's recommendations
November 24, 2025.

1 i. Approximately one-in-five residential solar energy installation
2 projects are cancelled after submission of an application for a permit
3 which, according to solar energy system installers, is largely a direct
4 result of frustration experienced in attempting to maneuver through
5 New Jersey's permitting ¹**process** processes¹.

6 j. It has been reported that contractors who are in the business of
7 installing residential solar energy systems and home batteries within
8 New Jersey avoid entering into contracts to install systems within
9 municipalities that impose especially burdensome permitting
10 requirements ¹and processes¹.

11 k. Hundreds of jurisdictions across the country, representing
12 approximately 25 percent of the national market, have removed
13 permitting barriers to the installation of residential solar energy
14 systems and home energy battery storage by automating the permitting
15 process.

16 l. Residential solar and home energy storage projects that receive
17 automated permits pass inspections at similar rates to residential solar
18 and home energy storage projects that receive traditional permits.

19 m. Automated permitting has the potential to reduce the costs of
20 ¹residential¹ solar ¹energy systems¹, reduce installation timelines, and
21 reduce cancellations, all of which will enable more families to install
22 solar on their roofs and batteries in their garages.

23
24 2. a. As used in this section:

25 "Department" means the Department of Community Affairs.

26 "Enforcing agency" means the municipal or county construction
27 official and subcode officials provided for in section 8 of P.L.1975,
28 c.217 (C.52:27D-126), or section 1 of P.L.2018, c.157 (C.52:27D-
29 126.8) regarding a pilot county in the "County Code Enforcement
30 Pilot Program," and assistants thereto.

31 "Form and format" means the arrangement, organization,
32 configuration, structure, or style of, or method of delivery for,
33 providing required information or providing the substantive
34 equivalent of required information. "Form and format" does not
35 mean altering the substance of information or the addition or
36 omission of information.

37 "State Smart Solar Permitting Platform" means an Internet-based
38 platform that, ²**consistent with** uses² the "State Uniform
39 Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.),
40 ²to conduct a compliance review,² automates plan review,
41 ²**produces a** issues approval for only² code-compliant
42 ²**approval** plans², and instantly releases a permit or permit
43 revision ²**in response to** upon² the receipt of ²**an acceptable** a
44 code-compliant² application to construct a residential solar energy
45 system.

46 b. (1) The Commissioner of Community Affairs shall establish,
47 develop, implement, and administer the State Smart Solar

1 Permitting Platform for the purpose of automatically performing
2 plan review of applications to construct a residential solar energy
3 system, and to instantly release a permit or permit revision to
4 construct a code-compliant residential solar energy system. The
5 commissioner shall fully implement the State Smart Solar
6 Permitting Platform so that the platform is available for use by the
7 department, enforcing agencies, and contractors prior to the first
8 day of the ²~~12th~~ 18th² month next following the date of
9 enactment of P.L. , c. (C.) (pending before the Legislature
10 as this bill).

11 (2) ¹~~1~~ [An application to construct a residential solar energy
12 system submitted pursuant to this section shall include an
13 application to construct a residential solar energy storage system
14 and to also perform a main electric panel upgrade, a main breaker
15 derate, or both, as prescribed by the department.

16 (3) ¹~~1~~ The State Smart Solar Permitting Platform shall:

17 (a) perform robust code compliance checks using algorithms to
18 evaluate characteristics of the proposed residential solar energy
19 system ¹~~1~~, as provided by a qualified contractor or subcontractor
20 with an electrical contractor's license, or the contractor's or
21 subcontractor's representative, ¹~~1~~ to determine whether the proposed
22 system aligns with the requirements of the State Uniform
23 Construction Code;

24 (b) ²~~1~~ [produce] issues approval for only code-compliant²
25 construction documents to be used for the inspection of a residential
26 solar energy system and for recordkeeping purposes consistent with
27 the requirements of the State Uniform Construction Code;

28 (c) instantly release permits and permit revisions to construct a
29 residential solar energy system ²only upon automated confirmation
30 that the permit application was submitted by a licensed contractor,
31 licensed architect, or licensed engineer and that accompanying
32 materials, including, but not limited to, plans and computations,
33 were prepared by licensed individuals as required under relevant
34 law or regulation, including licensed architects, licensed
35 contractors, or licensed engineers, where required and as applicable,
36 and are² consistent with the requirements of the State Uniform
37 Construction Code;

38 (d) be designed to process permit applications for, at a
39 minimum, approximately 75 percent of residential rooftop solar
40 energy systems that: weigh less than or are equal to four pounds per
41 square foot, ¹provide electrical power to detached one- and two-
42 family dwellings,¹ and comply with State Uniform Construction
43 Code requirements for installation on an existing residential
44 structure;

45 (e) provide users with the ability to submit an application to
46 construct a residential solar energy system 24 hours a day, except
47 when the platform is down for an upgrade or maintenance;

(f) be provided to the department at no-cost or low-cost if a third party provides, or third parties provide, the State Smart Solar Permitting Platform to the department; ¹~~and~~¹

(g) allow the use of ²~~electronic~~ digital² signatures ², stamps, seals, or certifications² on all applications and submitted materials necessary for issuance of a permit ¹;

(h) provide customer service to assist users navigating the platform; ²~~and~~²

(i) be able to process permit applications for residential solar energy systems and associated equipment including, but not necessarily limited to, photovoltaic panels, energy storage systems, main electrical panel upgrades, and main breaker derates^{1 2}; and

(j) be able to make updates as necessary to conform with changes to the State Uniform Construction Code or other applicable State law².

c. (1) The commissioner's implementation of the State Smart Solar Permitting Platform shall provide access to the platform, and facilitate use of the platform, by the department, local enforcing agencies, private agencies that provide plan review and inspection services, and contractors engaged in the installation of residential solar energy systems.

(2) (a) Within ²~~one year~~ 18 months² following the effective date of P.L. , c. (C.) (pending before the Legislature as this bill), the commissioner shall implement the State Smart Solar Permitting Platform and provide for its use by the department, enforcing agencies, and contractors.

(b) A local enforcing agency shall either allow for the submission of applications to construct a residential solar energy system through the State Smart Solar Permitting Platform or through an alternative automated solar permitting platform that satisfies the requirements set forth in subsection ¹~~a.~~ b.¹ of this section in an equivalent manner as the State Smart Solar Permitting Platform implemented by the department. A local enforcing agency that implements an alternative automated solar permitting platform shall enable access to the alternative platform prior to the first day of the ²~~18th~~ 24th² month next following the effective date of P.L. , c. (C.) (pending before the Legislature as this bill). A local enforcing agency that implements an alternative automated solar permitting platform shall not require an applicant to submit documentation that is not required through the State Smart Solar Permitting Platform.

¹(c) A local enforcing agency that allows for the submission of residential solar energy system applications through the State Smart Solar Permitting Platform shall, within two years following the effective date of P.L. , c. (C.) (pending before the Legislature as this bill), revise its permitting fee schedule to reflect²~~the~~ any² reduction in resources expended to permit residential

1 solar energy systems. ²~~2~~[The local enforcing agency shall maintain
2 this revision in future fee schedules.]¹²

3 d. (1) A local enforcing agency that does not allow for the
4 submission of applications to construct a residential solar energy
5 system through the State Smart Solar Permitting Platform shall
6 submit a compliance report to the department within 60 days of the
7 local enforcing agency's implementation of an alternative
8 automated solar permitting platform. The department may establish
9 guidelines for submission of a local compliance report. A local
10 compliance report shall include, but may not be limited to:

11 (a) the date of compliance;

12 (b) the software used for compliance;

13 (c) documentation demonstrating that the alternative automated
14 solar permitting platform implemented by the local enforcing
15 agency satisfies the requirements set forth in subsection ¹~~[a.]~~ b.¹ of
16 this section in an equivalent manner as the platform implemented by
17 the department.

18 (2) If the department determines that documentation submitted
19 with a local compliance report pursuant to subparagraph (c) of
20 paragraph (1) of this subsection is insufficient to verify that the
21 platform satisfies the requirements set forth in subsection ¹~~[a.]~~ b.¹
22 of this section in an equivalent manner as the platform implemented
23 by the department, the local enforcing agency shall provide the
24 department, at the department's request, access to the platform.

25 (3) The department shall provide public access to local
26 compliance reports on the department's Internet website.

27 e. (1) A local enforcing agency that implements an alternative
28 automated solar permitting platform pursuant to this section shall,
29 commencing with April 1, 2027, submit an annual report to the
30 department. The department may establish guidelines for annual
31 reports required under this paragraph. An annual report shall
32 include, but shall not be limited to:

33 (a) the number of permits released by the enforcing agency for
34 residential solar energy systems through the alternative automated
35 solar permitting platform and relevant characteristics of those
36 systems;

37 (b) the number of permits released by the enforcing agency for
38 residential solar energy systems through means other than the
39 alternative automated solar permitting platform and relevant
40 characteristics of those systems;

41 (c) documentation demonstrating that the alternative automated
42 solar permitting platform satisfies the requirements set forth in
43 subsection ¹~~[a.]~~ b.¹ of this section in an equivalent manner as the
44 platform implemented by the department.

45 (2) If the department determines that documentation submitted
46 pursuant to subparagraph (c) of paragraph (1) of this subsection is
47 insufficient to verify that the alternative automated solar permitting

1 platform meets the requirements set forth in subsection ¹~~['a.]~~ b.¹ of
2 this section in an equivalent manner as the platform implemented by
3 the department, the local enforcing agency shall provide the
4 department, at the department's request, access to the platform.

5 (3) The department shall provide public access to annual reports
6 on the department's Internet website.

7 f. ¹~~['(1)']~~¹ If the department determines that a local enforcing
8 agency has failed to allow for the submission of applications to
9 construct a residential solar energy system through either the State
10 Smart Solar Permitting Platform or through an alternative
11 automated solar permitting platform as required pursuant to this
12 section ¹or is otherwise not in compliance with this section¹, the
13 department ¹~~['shall impose a penalty upon, and collect penalty~~
14 ~~amounts from, the local enforcing agency. The department shall~~
15 ~~adopt a penalty schedule to set the penalty amounts and shall~~
16 ~~allocate all monies collected from penalties to the Low Income~~
17 ~~Home Energy Assistance Program as administered in the State and~~
18 ~~established pursuant to 42 U.S.C. s.8621 et seq.~~

19 (2) The department¹ may, in its sole discretion, condition or
20 deny direct funding to a local unit from any program it administers
21 ¹~~['if the department determines that the local unit's enforcing~~
22 ~~agency is not in compliance with this section']~~¹.

23 g. The commissioner shall provide training opportunities on the
24 use of the State Smart Solar Permitting Platform for employees of
25 local enforcing agencies.

26 h. The commissioner shall, in accordance with the
27 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
28 seq.), adopt rules and regulations to govern the form and format of
29 applications for permits, approval documents, specifications and
30 other information exchanged through the State Smart Solar
31 Permitting Platform.

32 i. The department ¹~~['may waive State Uniform Construction~~
33 ~~Code requirements in order to release a permit for a residential solar~~
34 ~~energy system through the State Smart Solar Permitting Platform']~~
35 shall waive requirements related to ²physical² signatures, stamps,
36 seals, certifications, or notarization imposed by statute, ordinance or
37 rules of the department, or another department or agency, in order
38 for the State Smart Solar Permitting Platform to accept the permit
39 application and release the permit¹ ²as long as the permit
40 application contains a digital signature, stamp, seal, or
41 certification².

42 j. The commissioner may adopt, amend, and repeal rules and
43 regulations providing for the charging of, and setting the amount of,
44 solar permit surcharge fees to be collected by an enforcing agency
45 or private agency. A local enforcing agency shall remit to the
46 department all monies collected by the agency through solar permit

1 surcharge fees to defray the cost of developing and administering
2 the State Smart Solar Permitting Platform.

3 k. A person exchanging information through either the State
4 Smart Solar Permitting Platform or through an alternative
5 automated solar permitting platform in a form and format
6 acceptable to the department shall not be subject to a licensing
7 sanction, civil penalty, fine, permit disapproval, revocation, or other
8 sanction for failure to comply with a form or format requirement
9 imposed by statute, ordinance, or rule that requires submission of
10 the information in physical form, including but not limited to any
11 requirement that the information be in a particular form or of a
12 particular size, be submitted with multiple copies, be physically
13 attached to another document, be an original document, or be
14 signed, stamped, sealed, certified, or notarized.

15 1. Neither a public entity nor a public employee shall be held
16 liable under N.J.S.59:2-5 or other applicable provision of law for
17 injury caused by release of a permit through the State Smart Solar
18 Permitting Platform.

19 ²m. The Department of Community Affairs, in consultation with
20 the Board of Public Utilities and the Office of Innovation or
21 successor agency, shall issue a request for the development of the
22 State Smart Solar Permitting Platform consistent with the
23 requirements of subsection b. of this section. In addition to any
24 other requirements that the Department of Community Affairs may
25 deem appropriate, the request for proposal shall:

26 (1) incorporate the standards developed pursuant to subsection
27 b. of this section; and

28 (2) require all bidders to demonstrate experience in the
29 development of one or more Internet-based automated permit
30 review platforms.²

31
32 3. This act shall take effect immediately.
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37 Requires establishment of automated platform to expedite
38 construction code approval of applications to install residential
39 solar energy systems.