
OLR Bill Analysis

sHB 5036

AN ACT STREAMLINING RESIDENTIAL SOLAR PERMITTING AND ENERGY INFRASTRUCTURE.

SUMMARY

This bill requires the Department of Administrative Services (DAS) commissioner, by July 1, 2028, to develop or implement the smart solar permitting platform to automatically review applications to build a residential solar photovoltaic (PV) system and instantly release a building permit for the system if it complies with the state's building code. The bill allows the commissioner to either develop the platform or implement one developed by a third party, as long as it is provided at no cost, or low cost, as determined by the commissioner.

The bill specifies requirements for the platform's functionality, requires the commissioner to issue a request for proposals to develop it, and requires municipalities to either use the platform or have an alternative platform that satisfies the same requirements. Under the bill, municipalities that use an alternative platform must also meet certain reporting requirements.

Corresponding with the implementation of the bill's new permitting platform, on January 1, 2029, it repeals a current law that generally requires each municipality to (1) incorporate residential solar PV systems in its building permit application process or use a residential solar PV system permit application supplement and (2) inform permit applicants whether their application is approved or disapproved within 30 days (§ 4).

Separately, existing law generally requires each state agency responsible for recommending or initiating any action that may significantly affect the environment to make a detailed written evaluation of its environmental impact before deciding whether to

undertake or approve the action. The bill exempts from this requirement (1) installations of electric vehicle (EV) charging stations and their associated charging infrastructure and (2) installation or construction of a solar PV facility on developed land if the land's owner, lessor, or operator receives state funding (§ 2).

The bill also allows the DAS commissioner, under certain conditions, to enter into a financing agreement with an owner or lessor of real property, a public utility, or a third-party financing provider to install infrastructure for EV charging, renewable energy generation, or energy storage. Under the bill, she may do this in connection with negotiating a new or renewed lease for state real property or when a capital infrastructure improvement becomes feasible and important to agency operations (as she determines). She must consider the (1) infrastructure improvement's expected life, (2) length of the (a) site's expected use or the lease and (b) state's needs for the improvement, (3) benefits for the property owner, and (4) operations and maintenance requirements for the equipment associated with the improvement (§ 3).

EFFECTIVE DATE: July 1, 2026, except that the repealer provision takes effect January 1, 2029.

SMART SOLAR PERMITTING PLATFORM

Under the bill, the "smart solar permitting platform" is an Internet-based platform to automate the review of applications for building permits for residential solar PV systems. "Residential solar PV systems" are equipment and devices that (1) are primarily meant to collect solar energy and generate electricity by photovoltaic effect, (2) have a nameplate (generating) capacity of 12 kilowatts or less, and (3) are installed on the roof of a single-family or multi-family home.

Platform Requirements

Under the bill, the smart solar permitting platform must be able to:

1. be available for use by DAS, any municipality, and any licensed architect, professional engineer, or contractor;
2. perform an automated evaluation of any application to build a

- residential solar PV system to determine whether it complies with the State Building Code and the regulations adopted by the DAS commissioner under the bill;
3. instantly release a building permit for an application that is determined to comply with the code and the regulations;
 4. be able to process a permit application for at least 75% of residential rooftop solar PV systems that (a) weigh “less than four pounds or less” per square foot (presumably, four pounds or less per square foot); (b) supply electrical power to detached single- and multi-family homes; and (c) comply with the state building code’s requirements for installing on an existing residential structure;
 5. allow platform users to submit an application to build a residential solar PV system 24 hours a day, unless the platform is unavailable because of a system upgrade or maintenance;
 6. allow the use of digital signatures, stamps, seals, or certifications on all submitted applications and supporting documents needed to issue a permit;
 7. provide customer service to help users navigate the platform; and
 8. be updated as needed to conform with changes to the State Building Code or any other applicable state law.

Request for Proposals

The bill requires the DAS commissioner, in consultation with the Public Utilities Regulatory Authority and the energy and environmental protection commissioner, to issue a request for proposals (RFP) to develop a smart solar permitting platform consistent with the above requirements. In addition to any other requirements the commissioner may deem appropriate, the RFP must (1) incorporate the platform requirements listed above and (2) require all bidders to demonstrate experience in developing other Internet-based automated permit-

review platforms.

Application Requirements

The bill requires the commissioner to set the form and format of applications for permits, including supporting documentation; specifications; requirements for digital signatures, stamps, seals, or certifications; and other information exchanged through the smart solar permitting platform.

Under the bill, she must require that any application and supporting documents be prepared and submitted by a licensed architect, professional engineer, or contractor. She must also waive any requirement for physical signatures, stamps, seals, certifications, or notarization imposed by statute, regulation, or local ordinance so that the smart solar permitting platform can process permit applications, as long as the permit application contains a digital signature, stamp, seal, or certification.

Municipal Requirements

The bill requires municipalities to allow applications to build a residential solar PV system to be submitted through either the smart solar permitting platform or an alternative platform that satisfies the same requirements in the same way as the bill's smart solar permitting platform. Under the bill, by January 1, 2029, municipalities that use the smart solar permitting platform must revise their permitting fee schedule to reflect any reduction in cost or resources the municipality spends to permit residential solar energy systems.

Requirements for Using Alternative Platforms

Under the bill, municipalities that implement an alternative platform must enable access to it by January 1, 2029, and cannot require an applicant to submit any documentation or information that is not required through the smart solar permitting platform.

Initial Compliance Report. The bill requires these municipalities to submit a compliance report to the DAS commissioner, in a form and way she sets, within 60 days after implementing the alternative

platform. The compliance report must at least include (1) the date the municipality complied, (2) the software the municipality used to comply, and (3) documentation showing that the alternative platform satisfies the bill's smart solar permitting platform requirements in a way equivalent to the platform implemented by the DAS commissioner. If the commissioner determines that this documentation is insufficient, the municipality must give the commissioner, at her request, access to the alternative platform so that she can determine whether it meets the bill's requirements.

The bill requires the commissioner to make any local compliance report submitted by a municipality publicly accessible on the DAS website.

Annual Report. The bill also requires any municipality implementing an alternative platform to submit an annual report to the DAS commissioner starting July 1, 2029. The bill allows the commissioner to set guidelines for the reports, but they must at least include:

1. the number of residential solar PV system permits the municipality released through the alternative platform and the relevant characteristics of the systems;
2. the number of residential solar PV system permits the municipality released through means other than the alternative platform and the relevant characteristics of the systems; and
3. documentation showing that the alternative platform satisfies the bill's smart solar permitting platform requirements in a way equivalent to the platform implemented by the DAS commissioner.

As with the compliance reports, (1) if the commissioner determines that the above documentation is insufficient, the municipality must give the commissioner, at her request, access to the alternative platform so that she can determine whether it meets the bill's requirements and (2) the commissioner must make the annual reports publicly accessible on

the DAS website.

Penalty Exception

Under the bill, a person exchanging information through either the smart solar permitting platform or through an alternative platform cannot be subjected to a licensing sanction, civil penalty, fine, permit disapproval, revocation, or other sanction for failing to comply with any statute, regulation, or local ordinance that requires the information to be submitted in physical form. This includes any requirement that the information be (1) in a particular form or size; (2) submitted with multiple copies; (3) physically attached to another document; (4) an original document; or (5) signed, stamped, sealed, certified, or notarized.

BACKGROUND

Related Bill

sHB 5464, § 3, reported favorably by the Transportation Committee, generally reduces and eases requirements for a certain amount of EV charging stations to be built in new state facilities that will cost more than \$100,000.

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable

Yea 18 Nay 8 (03/17/2026)