PA 26-16—sSB 233
General Law Committee
Judiciary Committee
Appropriations Committee

AN ACT CONCERNING CONSUMER PROTECTIONS REGARDING RESIDENTIAL SOLAR AND ENERGY STORAGE SYSTEMS

SUMMARY: Starting February 15, 2027, this act requires sellers of residential solar photovoltaic or energy storage systems and their authorized sales representatives to only conduct in-person residential solicitations from 9 a.m. to 7 p.m., or any shorter period set by a municipal ordinance (consumers and sellers can set a time to meet outside this timeframe). Starting February 15, 2028, the act requires these sellers and their representatives to:

1. carry a current, valid ID at all times during in-person residential solicitations that includes the person's name and other information the Department of Consumer Protection (DCP) deems relevant and
2. give consumers a related consumer handbook (which DCP must develop with the Office of Consumer Counsel (OCC) and the task force described below) at the beginning of the first in-person solicitation at a consumer's residence or, if there is none, then before executing a sales agreement.

The act requires these sellers to annually report to DCP, beginning by February 15, 2027, each person the seller has a business relationship with to provide financing, installation, or related consumer services in partnership with the seller that includes in-person interaction with consumers. DCP must set how the report is provided but the act specifies that it does not require disclosing any employee's identity.

The act also specifies that the sale, lease, or rent of a residential solar photovoltaic or residential energy storage system is covered by the Home Solicitation Sales Act (which gives consumers certain protections when sales are made through home solicitations, such as invalidating a contract that includes the consumer's waiver of certain rights).

The act reduces the penalty for violating the Home Solicitation Sales Act from a class C misdemeanor (see [Table on Penalties]) to a civil penalty of up to $500 per violation and subjects the act's new provisions to this civil penalty. The act also makes (1) sales, leases, or rentals with a commission, rebate, or discount offered in violation of the act's provisions voidable by the consumer and (2) any violation of the act's provisions a Connecticut Unfair Trade Practices Act (CUTPA) violation (see BACKGROUND).

It requires residential solar or energy storage lenders and providers to (1) give consumers a payoff statement or transfer document within seven days after a consumer's written request for one or (2) credit the consumer's account with $250 if this deadline is not met.

Finally, the act (1) expands the membership and charge of an existing task force, including requiring it to develop a handbook for consumers, and (2) makes numerous technical and conforming changes to the Home Solicitation Sales Act.
EFFECTIVE DATE: October 1, 2026, except the task force provisions are effective upon passage.

§ 1 — RESIDENTIAL SOLAR PHOTOVOLTAIC AND RESIDENTIAL ENERGY STORAGE SYSTEMS DEFINED

For purposes of the Home Solicitation Sales Act and the consumer handbook described below, the act defines:

1. "residential solar photovoltaic systems" as equipment and devices (a) used primarily to collect solar energy and generate electricity that have a capacity of up to 25 kilowatts and (b) installed on the roof of a single family or multifamily home (with two to four units) in compliance with the State Building Code and
2. "residential energy storage systems" as commercially available technology that (a) absorbs and stores energy to later dispatch it and (b) is installed in a single family or two- to four-unit multifamily dwelling in compliance with the State Building Code.

§ 2 — CONSUMER HANDBOOK

By December 31, 2027, the act requires DCP, with OCC and the task force, to develop a consumer handbook on home solicitation sales of residential solar photovoltaic and energy storage systems, including in-person sales at residences. The handbook must include:

1. guidance that helps consumers assess sales and marketing claims about these systems,
2. information on Home Solicitation Sales Act penalties, and
3. other information DCP deems relevant.

By January 15, 2028, the act requires (1) DCP to post the handbook on its website for consumers of certain residential energy financing programs and renewable energy tariffs and (2) Public Utilities Regulatory Authority (PURA) and OCC to post it on their websites.

§ 10 — PAYOFF STATEMENTS AND TRANSFER DOCUMENTS

The act requires certain lenders and providers, on a consumer's written request, to give the consumer a:

1. payoff statement with the unpaid balance on a residential solar or energy storage loan, including (a) principal, interest, and other charges under the loan documents and (b) daily interest on the unpaid principal, or
2. transfer document that allows the consumer to transfer to another person the consumer's rights and obligations under the terms of a residential solar or energy storage lease or loan agreement or residential power purchase

agreement.

This applies to anyone who in the ordinary course of business extends credit to a consumer to finance the purchase of a residential solar or energy storage system, leases a system to a consumer, or enters an agreement with a consumer on the sale of electricity from a system.

If the consumer is not given the statement or document within seven days after the request, the consumer's account must be credited $250.

The act allows DCP to adopt regulations to implement these provisions.

The act's provisions on payoff statements and transfer documents apply to the same types of residential energy storage systems as described above. But, these provisions apply to fewer residential solar photovoltaic systems as they are only applicable to systems with a lesser capacity of up to 12 kilowatts and do not include systems installed on a two- to four-unit multifamily home.

§ 11 — TASK FORCE

The act expands the membership and charge of a task force studying consumer power purchase agreements for solar photovoltaic systems.

Under existing law, the task force must study ways to improve disclosure requirements and consumer protections related to purchase, lease, or entering into power purchase agreements for solar photovoltaic systems, including whether low-income consumers or senior citizens need special protections. The act requires the task force to also study (1) licensing for contractors doing solar electricity work and (2) requirements for audits or other ways to ensure that these contractors and sellers comply with applicable laws.

The act also requires the task force to develop a handbook that:

1. advises consumers on home solicitation sales of residential solar photovoltaic systems and residential energy storage systems, including in-person residential solicitations;
2. includes guidance to help consumers assess sales and marketing claims about these systems;
3. states the Home Solicitation Sales Act penalties; and
4. includes other information the task force deems relevant.

The act extends the due date for the task force's report to the Energy and Technology and General Law committees from January 1, 2026, to February 1, 2027.

Membership

The act adds as task force members the chairpersons and ranking members of the Energy and Technology and General Law committees, or their designees. As under existing law, the other members are (1) the Department of Energy and Environmental Protection and DCP commissioners, PURA chairperson, consumer counsel, and Connecticut Green Bank president, or their designees; (2) two members appointed by the governor; and (3) 10 members appointed by the six legislative leaders.

The act makes the Energy and Technology and General Law committees' chairpersons, or their designees, the task force's chairpersons instead of a chairperson chosen among the task force members by the House speaker and Senate president pro tempore.

BACKGROUND

CUTPA

By law, CUTPA prohibits businesses from engaging in unfair and deceptive acts or practices. It allows the DCP commissioner, under specified procedures, to issue regulations defining an unfair trade practice, investigate complaints, issue cease and desist orders, order restitution in certain cases, impose civil penalties of up to $5,000, enter into consent agreements, ask the attorney general to seek injunctive relief, and accept voluntary statements of compliance. It also allows individuals to sue. Courts may issue restraining orders; award actual and punitive damages, costs, and reasonable attorney's fees; and impose civil penalties of up to $5,000 for willful violations and up to $25,000 for a restraining order violation.