
A BILL FOR AN ACT

RELATING TO RESIDENTIAL PHOTOVOLTAIC ENERGY GENERATING SYSTEMS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 46, Hawaii Revised Statutes, is amended
2 by adding a new section to part I to be appropriately designated
3 and to read as follows:

4 "§46-___ Off-grid residential photovoltaic energy
5 generating system installation; exemption from county permit
6 requirements. (a) Notwithstanding any law to the contrary,
7 each county shall exempt from county permitting requirements the
8 installation of off-grid residential photovoltaic energy
9 generating systems on the rooftops of residential properties if
10 the installation complies with all other applicable state and
11 county building and zoning code requirements.

12 (b) Neither the State nor any county shall be liable for
13 claims arising from the installation of an off-grid residential
14 photovoltaic energy generating system exempt from county
15 permitting requirements pursuant to subsection (a), unless the
16 claim arises out of gross negligence or intentional misconduct
17 by the State or county.



1 (c) No off-grid residential photovoltaic energy generating
2 system that receives an exemption under this section shall be
3 eligible for interconnection to the Hawaii electric system for
4 the entire duration of its operation.

5 (d) For the purposes of this section:

6 "Hawaii electric system" has the same meaning as in section
7 269-141.

8 "Off-grid residential photovoltaic energy generating
9 system" means any identifiable facility, equipment, apparatus,
10 or the like that utilizes electricity-generating modules mounted
11 on the rooftop of a residential property; converts solar energy
12 to useful electrical energy for heating, cooling, or reducing
13 the use of other types of energy that are dependent upon fossil
14 fuel for the generation of electricity; and is not connected to
15 the Hawaii electric system.

16 "Residential property" has the same meaning as in section
17 667-1."

18 SECTION 2. New statutory material is underscored.



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1 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

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JAN 20 2023



H.B. NO. 419

Report Title:

Counties; Off-grid Residential Photovoltaic Energy Generating System; Rooftop; Permit; Exemption

Description:

Requires the counties to exempt from county permitting requirements the installation of off-grid residential photovoltaic energy generating systems on the rooftops of residential properties under certain circumstances.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

