

26105182D

1 **HOUSE BILL NO. 779**

2 Offered January 14, 2026

3 Prefiled January 13, 2026

4 *A BILL to amend and reenact § 15.2-2288.7 of the Code of Virginia and to amend the Code of Virginia by  
5 adding a section numbered 55.1-1212.1 and by adding in Chapter 23 of Title 56 a section numbered  
6 56-596.7, relating to electric utilities; small portable solar generation devices; local regulation;  
7 Residential Landlord and Tenant Act.*

8 Patron—Oates

9 Committee Referral Pending

10 **Be it enacted by the General Assembly of Virginia:**11 **1. That § 15.2-2288.7 of the Code of Virginia is amended and reenacted and that the Code of Virginia is  
12 amended by adding a section numbered 55.1-1212.1 and by adding in Chapter 23 of Title 56 a section  
13 numbered 56-596.7 as follows:**14 **§ 15.2-2288.7. Local regulation of solar facilities and small portable solar generation devices.**15 A. An owner of a residential dwelling unit may install a solar facility on the roof of such dwelling to serve  
16 the electricity or thermal needs of that dwelling, provided that such installation is (i) in compliance with any  
17 height and setback requirements in the zoning district where such property is located and (ii) in compliance  
18 with any provisions pertaining to any local historic, architectural preservation, or corridor protection district  
19 adopted pursuant to § 15.2-2306 where such property is located. Unless a local ordinance provides otherwise,  
20 a ground-mounted solar energy generation facility to be located on property zoned residential shall be  
21 permitted, provided that such installation is (a) in compliance with any height and setback requirements in the  
22 zoning district where such property is located and (b) in compliance with any provisions pertaining to any  
23 local historic, architectural preservation, or corridor protection district adopted pursuant to § 15.2-2306 where  
24 such property is located. Except as provided herein, any other solar facility proposed on property zoned  
25 residential, including any solar facility that is designed to serve, or serves, the electricity or thermal needs of  
26 any property other than the property where such facilities are located, shall be subject to any applicable  
27 zoning regulations of the locality.28 B. An owner of real property zoned agricultural may install a solar facility on the roof of a residential  
29 dwelling on such property, or on the roof of another building or structure on such property, to serve the  
30 electricity or thermal needs of that property upon which such facilities are located, provided that such  
31 installation is (i) in compliance with any height and setback requirements in the zoning district where such  
32 property is located and (ii) in compliance with any provisions pertaining to any local historic, architectural  
33 preservation, or corridor protection district adopted pursuant to § 15.2-2306 where such property is located.  
34 Unless a local ordinance provides otherwise, a ground-mounted solar energy generation facility to be located  
35 on property zoned agricultural and to be operated under § 56-594 or 56-594.2 shall be permitted, provided  
36 that such installation is (a) in compliance with any height and setback requirements in the zoning district  
37 where such property is located and (b) in compliance with any provisions pertaining to any local historic,  
38 architectural preservation, or corridor protection district adopted pursuant to § 15.2-2306 where such property  
39 is located. Except as otherwise provided herein, any other solar facility proposed on property zoned  
40 agricultural, including any solar facility that is designed to serve, or serves, the electricity or thermal needs of  
41 any property other than the property where such facilities are located, shall be subject to any applicable  
42 zoning regulations of the locality.43 C. An owner of real property zoned commercial, industrial, or institutional may install a solar facility on  
44 the roof of one or more buildings located on such property to serve the electricity or thermal needs of that  
45 property upon which such facilities are located, provided that such installation is (i) in compliance with any  
46 height and setback requirements in the zoning district where such property is located and (ii) in compliance  
47 with any provisions pertaining to any local historic, architectural preservation, or corridor protection district  
48 adopted pursuant to § 15.2-2306 where such property is located. Unless a local ordinance provides otherwise,  
49 a ground-mounted solar energy generation facility to be located on property zoned commercial, industrial, or  
50 institutional shall be permitted, provided that such installation is (a) in compliance with any height and  
51 setback requirements in the zoning district where such property is located and (b) in compliance with any  
52 provisions pertaining to any local historic, architectural preservation, or corridor protection district adopted  
53 pursuant to § 15.2-2306 where such property is located. Except as otherwise provided herein, any other solar  
54 facility proposed on property zoned commercial, industrial, or institutional, including any solar facility that is  
55 designed to serve, or serves, the electricity or thermal needs of any property other than the property where  
56 such facilities are located, shall be subject to any applicable zoning regulations of the locality.

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59       D. An owner of real property zoned mixed-use may install a solar facility on the roof of one or more  
60 buildings located on such property to serve the electricity or thermal needs of that property upon which such  
61 facilities are located, provided that such installation is (i) in compliance with any height and setback  
62 requirements in the zoning district where such property is located and (ii) in compliance with any provisions  
63 pertaining to any local historic, architectural preservation, or corridor protection district adopted pursuant to  
64 § 15.2-2306 where such property is located. Unless a local ordinance provides otherwise, a ground-mounted  
65 solar energy generation facility to be located on property zoned mixed-use shall be permitted, provided that  
66 such installation is (a) in compliance with any height and setback requirements in the zoning district where  
67 such property is located and (b) in compliance with any provisions pertaining to any local historic,  
68 architectural preservation, or corridor protection district adopted pursuant to § 15.2-2306 where such property  
69 is located. Except as provided herein, any other solar facility proposed on property zoned mixed-use,  
70 including any solar facility that is designed to serve, or serves, the electricity or thermal needs of any property  
71 other than the property where such facilities are located, shall be subject to any applicable zoning regulations  
72 of the locality.

73       E. *No locality shall prohibit the use of a small portable solar generation device, as defined in § 56-596.7, on a residential structure, provided that such device (i) is in compliance with any height and setback requirements in the zoning district where such property is located; (ii) is in compliance with any provisions pertaining to any local historic, architectural preservation, or corridor protection district adopted pursuant to § 15.2-2306 where such property is located; and (iii) meets the requirements of this section and subsection C of § 56-596.7.*

74       F. Nothing in this section shall be construed to supersede or limit contracts or agreements between or  
75 among individuals or private entities related to the use of real property, including recorded declarations and  
76 covenants, the provisions of condominium instruments of a condominium created pursuant to the Virginia  
77 Condominium Act (§ 55.1-1900 et seq.), the declaration of a common interest community as defined in  
78 § 54.1-2345, the cooperative instruments of a cooperative created pursuant to the Virginia Real Estate  
79 Cooperative Act (§ 55.1-2100 et seq.), or any declaration of a property owners' association created pursuant  
80 to the Property Owners' Association Act (§ 55.1-1800 et seq.).

81       F. G. A locality, by ordinance, may provide by-right authority for installation of solar facilities *or devices*  
82 in any zoning classification in addition to that provided in this section. A locality may also, by ordinance,  
83 require a property owner or an applicant for a permit pursuant to the Uniform Statewide Building Code  
84 (§ 36-97 et seq.) who removes solar panels *or devices* to dispose of such panels *or devices* in accordance with  
85 such ordinance in addition to other applicable laws and regulations affecting such disposal.

86       **§ 55.1-1212.1. Installation of small portable solar generation devices.**

87       A. *As used in this section, "small portable solar generation device" means a moveable photovoltaic*  
88 *generation device that (i) has a maximum power output of not more than 1,200 watts; (ii) is designed to be*  
89 *connected to the electrical system of a building through a standard 120-volt alternating current outlet; (iii) is*  
90 *not designed to be interconnected with the electric grid; (iv) is located on the customer's side of the electric*  
91 *meter and intended primarily to offset part of the customer's electricity consumption; (v) meets the standards*  
92 *of the most recent version of the National Electrical Code; and (vi) is certified by a nationally recognized*  
93 *testing laboratory, as described in 29 C.F.R. § 1910.7, or an equivalent nationally recognized testing*  
94 *laboratory.*

95       B. *No landlord who owns more than four rental dwelling units or more than a 10 percent interest in more*  
96 *than four rental dwelling units, whether individually or through a business entity, in the Commonwealth shall*  
97 *prohibit a tenant from installing a small portable solar generation device on the exterior of the tenant's*  
98 *premises. However, a landlord may establish reasonable restrictions concerning the size, place, and manner*  
99 *or placement of such small portable solar generation devices. The landlord may prohibit or restrict the*  
100 *installation of such small portable solar generation devices elsewhere on the premises.*

101       C. *The tenant shall be responsible for any damages sustained to the rental dwelling unit or the premises*  
102 *as a result of any small portable solar generation device installed pursuant to this section.*

103       **§ 56-596.7. Small portable solar generation devices; exempt from interconnection.**

104       A. *As used in this section, a "small portable solar generation device" means a moveable photovoltaic*  
105 *generation device that (i) has a maximum power output of not more than 1,200 watts; (ii) is designed to be*  
106 *connected to the electrical system of a building through a standard 120-volt alternating current outlet; (iii) is*  
107 *not designed to be interconnected with the electric grid; (iv) is located on the customer's side of the electric*  
108 *meter and intended primarily to offset part of the customer's electricity consumption; (v) meets the standards*  
109 *of the most recent version of the National Electrical Code; and (vi) is certified by a nationally recognized*  
110 *testing laboratory, as described in 29 C.F.R. § 1910.7, or an equivalent nationally recognized testing*  
111 *laboratory.*

112       B. *Any customer of an investor-owned utility, municipal utility, or electric cooperative may own and*  
113 *operate a small portable solar generation device that meets the requirements of this section without being*  
114 *subject to interconnection requirements, net energy metering provisions, or any other provision of law*  
115 *requiring reimbursement to or approval from the electric utility to own and operate the small portable solar*

121 *generation device, provided that such customer has submitted notice of its intent to operate the small*  
122 *portable solar generation device to the incumbent investor-owned utility, municipal utility, or electric*  
123 *cooperative providing electric service to such customer. No investor-owned utility, municipal utility, or*  
124 *electric cooperative shall require a customer using a small portable solar generation device to obtain the*  
125 *utility's approval before installing or using the device, pay any fee or charge related to the device, or install*  
126 *any additional controls or equipment beyond what is integrated with the device.*

127 *C. A customer that owns and operates a small portable solar generation device shall ensure that the*  
128 *device includes a device or feature that prevents the device from affecting the electrical system of the building*  
129 *during a power outage.*

130 *D. No investor-owned utility, municipal utility, or electric cooperative shall be liable for any damage or*  
131 *injury caused by a small portable solar generation device.*

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