

HB 4080 -4 STAFF MEASURE SUMMARY

House Committee On Climate, Energy, and Environment

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Meeting Dates: 2/5, 2/10

WHAT THE MEASURE DOES:

The measure allows retail electricity consumers to install and use portable solar photovoltaic devices up to 1,200 watts to offset electricity use, limits utility liability, and permits net metering, subject to building codes and regulatory requirements. It also voids certain restrictions on use of these devices and provides liability protections for landlords and associations. The law applies to existing and future tenancies and planned communities' and condominiums' governing documents. The measure takes effect July 1, 2026.

Detailed Summary:

UTILITY REGULATION (Section 2)

Defines key terms. Allows a retail electricity consumer to install and use one or more portable solar photovoltaic energy devices (portable solar devices) with up to a combined generating capacity of 1,200 watts for the primary purpose of offsetting electricity consumption, subject to certain requirements in the Act and the state building code. Establishes actions a retail electricity consumer must take prior to installing a portable solar device. Establishes actions electric utilities may not take when a device is installed. Establishes that an electric utility is not liable for loss or injury caused by or arising from a retail electricity consumer's portable solar device. Allows a portable solar device may be used as a net metering facility. Operative on January 1, 2027.

PROPERTY RIGHTS AND TRANSACTIONS (Section 4)

Establishes that a landlord may not prohibit or restrict a tenant from installing or using a portable energy device of the tenant's choosing, unless certain conditions are met. Prohibits a landlord from enforcing allowable restrictions unless it is in writing and delivered to the tenant. Provides that a landlord is immune from liability for any claim for damages, injury, or death caused by a portable solar device installed by the tenant. Applies to tenancies commenced before, on, or after the effective date of the Act. Operative on January 1, 2027.

PLANNED COMMUNITIES (Section 5)

Establishes that a provision in a planned community's governing document that restricts or prohibits the installation or use of a portable solar device is void and unenforceable, unless the installation or use of the device would: violate building codes or state or federal law or the device manufacturer's written safety guidelines for the device. Applies to governing documents adopted before, on, or after the effective date of the Act.

CONDOMINIUMS—PROPERTY RIGHTS AND TRANSACTIONS (Section 6)

Establishes that a provision in a condominium's governing document that restricts or prohibits the installation or use of a portable solar device is void and unenforceable under certain conditions. Applies to governing documents adopted before, on, or after the effective date of the Act.

RULE ADOPTION (Sections 8 and 9)

Allows the Director of the Department of Consumer and Business Services to amend the state building code as necessary to address the installation or use of portable solar devices to include provisions for electrical service capacity, mounting of the device on a building exterior, or the safe operations of the device. Allows the Oregon Public Utility Commission to adopt rules and take any other action necessary before the operative date of this Act.

This summary has not been adopted or officially endorsed by action of the committee.

- *FISCAL: May have fiscal impact, but no statement issued yet*
- *REVENUE: May have revenue impact, but no statement issued yet*

ISSUES DISCUSSED:

- Potential benefits and risks of plug-in solar devices
- Other states and countries that use plug-in solar devices
- Ability of renters and others to afford different types of solar technologies

EFFECT OF AMENDMENT:

-4 The amendment modifies actions a retail electricity consumer must take prior to installing a portable solar device and removes sections 3 through 9 in the base bill.

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- *REVENUE: May have revenue impact, but no statement issued yet*

BACKGROUND:

Plug-in solar, sometimes known as balcony solar, is a solar panel system that can plug into a standard wall outlet, offering a portable way to reduce electricity costs without a rooftop installation. The German government enacted the first technical regulations for plug-in solar devices in 2019, allowing balcony solar systems to use standard electrical plugs as long as they do not exceed 800 watts. In 2025, the Utah Legislative Assembly enacted House Bill 340, making it the first state to exempt portable solar devices from state regulations requiring the owners of a rooftop solar device to sign an interconnection agreement with their local utility.