

LFC Requester: _____

**AGENCY BILL ANALYSIS
INSTRUCTIONS**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original Amendment _____
Correction _____ Substitute _____

Date 2/6/26

Bill No: HM 38

Sponsor: Rep. Romero
Rep. Roybal Caballero
Rep. Sarinana
Rep. Ortez
Short Title: Low-Income Solar Generation
Devices

Agency Name and Code EMNRD 521
Number: _____
Person Writing Ben Bajema
Phone: 505-394-2581 Email Benjamin.bajema@emnrd.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY6	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: SM 10 and SB 157
Duplicates/Relates to Appropriation in the General Appropriation Act:

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: HM 38 requests EMNRD to convene a working group to study the potential economic, safety and grid impacts of installing portable solar generation devices in low-income households.

The working group is requested to design a pilot project to install five to ten portable solar generation devices to low-income households within the service territories of the electric utilities participating in the working group, including within a generation and transmission cooperative.

The objectives of the pilot are to quantify the direct economic benefits to participants via the monthly reduction in energy costs and assess the impact of these devices on local distribution grids to inform future legislation.

The working group is requested to present its findings and recommendations to the interim legislative committee dealing with energy and natural resources by November 1, 2026.

FISCAL IMPLICATIONS

SIGNIFICANT ISSUES

Solar energy systems are critical components to New Mexico meeting its climate and clean energy goals. Portable solar generation devices (also called plug-in or balcony solar) may be an opportunity to increase the amount of electricity generated by solar energy in New Mexico due to simpler regulatory requirements and small size of the devices compared to conventional solar projects, which leads to much lower costs and even DIY installation. The low cost and movability of the devices make them a more accessible option for low-income households and renters to take advantage of solar energy. While amounts vary greatly, a typical balcony solar unit can save \$35 - \$55 per month on electric utility bills.¹

Portable solar generating devices are not currently certified for residential use in New Mexico as described in HM 38. Regarding safety requirements, SB 157 requires portable solar devices sold in NM to “be certified by a nationally recognized testing laboratory.” While Nationally

¹ [Bright Saver | Plug-In, balcony and backyard solar panels](#)

Recognized Testing Laboratories (NRTL) and the National Electrical Code (NEC) do not yet explicitly address portable solar generation devices, the NEC standards are due to be updated in 2026 (they are updated every three years). Underwriters Laboratories, an NRTL, released a white paper on these devices in December 2025, and began offering testing and certification services as of January 2026. It may be challenging for EMNRD to carry out the provisions of this memorial, particularly the pilot project, without available guidance and standards from NRTL or NEC.

However, millions of “balcony solar” devices have been installed in Germany² indicating that the U.S. is behind in adopting this energy resource. Utah recently passed a law allowing portable solar generating devices, and several US states (including Vermont, New Hampshire, New York, Pennsylvania) are currently evaluating similar legislation to clarify the regulations around, and thus allow balcony solar.³

PERFORMANCE IMPLICATIONS

This memorial would require EMNRD to convene a new working group, design and implement a pilot program, collect data and provide a report of findings and recommendations to the interim legislative committee by November 1, 2026.

This timeline would put an administrative strain on EMNRD by requiring nearly full-time reassignment of an ECAM staff member to assemble the working group, establish agendas, coordinate gatherings, take and circulate notes, and research, draft, edit, and submit the report. This would be an administrative burden as the staffer would be removed from performing other statutorily assigned duties to perform work that is not in their job description.

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

SB 157, regarding the regulation of portable solar generation devices, is a related bill that exempts portable solar generation devices from interconnection and net-metering requirements, and defines an eligible device as a movable photovoltaic generation device that has a maximum power output of 1920 watts, can be plugged directly into a building’s electrical system via a standard 120 volt alternating current electrical outlet, is used to offset on-site electricity consumption, includes a feature that prevents the device from energizing the on-site electrical system or backfeeding into a utility’s system during a power outage, meets the standards of the New Mexico electrical code adopted by the construction industries commission, and is certified by a nationally recognized testing laboratory.

TECHNICAL ISSUES

The first sentence on page three: “... community-based engagement with low-income households and the development or implementation to design a portable solar pilot project;” seems to be missing a word or is otherwise unclear.

² [‘If 1.5m Germans have them there must be something in it’: how balcony solar is taking off | Spain | The Guardian](#)

³ [Plug-In Solar Power Could Be Coming to a Balcony Near You | Sierra Club](#)

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

In order to provide EMNRD with the necessary resources to carry out the contents of this memorial, HM 38 would be better executed as a bill with an appropriation, as well as a later due date to report to the legislative committee, such as November 1, 2027, to have a year's worth of data on the performance and impacts of these devices. The pilot and appropriation could be added as an amendment to SB 157.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

If this memorial is not passed, EMNRD will not convene a working group or conduct a pilot program to explore the impact of portable solar generation devices in New Mexico.

AMENDMENTS

N/A