

LFC Requester:

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AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov
(Analysis must be uploaded as a PDF)**

SECTION I: GENERAL INFORMATION

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

Date Prepared: 01/27/2026 *Check all that apply:*
Bill Number: SB 157 Original Correction
Amendment Substitute

Sponsor: Senator Pope **Agency Name and Code** 430 – Public Regulation Commission
Short Title: USE OF PORTABLE SOLAR GENERATION DEVICES **Number:** _____
Person Writing Ed Rilkoff
Phone: (505)490-2696 **Email** jerri.mares@prc.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

SB 157 amends the Public Utility Act to allow the use of portable solar generation devices.

A portable solar generation device is defined as a movable photovoltaic device that, among other requirements:

- has maximum output of 1,920 watts or less
- plugs into a standard 120-volt AC outlet to connect to a building electrical system and is used to offset on-site electricity consumption
- includes functionality to prevent energizing/backfeeding the building electrical system or utility system during outages
- must meet New Mexico electrical code adopted by the construction industries commission and be certified by a nationally recognized testing laboratory

Owners/operators are exempt from interconnection and net-metering requirements (whether or not served by a public utility). Any electricity that flows onto the utility system is treated as non-compensated energy.

A public utility may not require the owner/operator to:

- obtain utility approval before installing/using the device
- provide notification or registration
- pay a fee or charge related to the device or electricity it feeds into the building electrical system
- install additional controls or equipment beyond what is integrated into the device

A covenant, restriction, or condition affecting real property that effectively prohibits installation or use of a portable solar generation device is void and unenforceable.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

Allowing homeowners to feed power onto the grid, through devices covered by this bill, without registration or notification to the utility could result in feeder capacity overload or other grid balancing problems, affecting the grid surrounding these homes and potentially causing reliability issues.

PERFORMANCE IMPLICATIONS

None

ADMINISTRATIVE IMPLICATIONS

None

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

Although the bill renders covenants, restrictions, or conditions that prohibit the installation or use of portable solar generation devices void and unenforceable pursuant to Section 3-18-32 NMSA 1978, it is silent as to enforcement. The Public Regulation Commission does not regulate private land use covenants or homeowners' associations and would not have jurisdiction to enforce this provision.

While SB 157 requires portable solar generation devices to meet the standards of the New Mexico Electrical Code and to include safety features to prevent backfeeding during power outages, it does not specify how compliance will be verified or enforced. Enforcement of electrical code compliance, including site-specific circuit capacity and outlet compatibility, is not within the jurisdiction of the Public Regulation Commission and would fall under Construction Industries Division (CID) and local code enforcement authority.

ALTERNATIVES

None identified.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

N/A