

**REVENUE:** No revenue impact

**FISCAL:** No fiscal impact

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<b>Action:</b>	Do Pass the A-Engrossed Measure
<b>Vote:</b>	4 – 1 – 0
<b>Yeas:</b>	Atkinson, Hass, Prozanski, Dingfelder
<b>Nays:</b>	Boquist
<b>Exc.:</b>	0
<b>Prepared By:</b>	Beth Herzog, Administrator
<b>Meeting Dates:</b>	5/14

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**WHAT THE MEASURE DOES:** Defines “solar energy system” as device, structure, mechanism or series of mechanisms that use solar radiation as source for heating, cooling, or electrical energy, including a device, structure or mechanism for radiant drying of clothing in open air. Prohibits provision in instrument conveying or contracting to convey fee title to real property a prohibition on use of solar energy systems or restriction on orientation or use of such systems in a manner that impairs effective operation. Authorizes owner subject to such provision to file a petition to remove provision. Declares void and unenforceable a provision in declaration or bylaws of a planned community or condominium that prohibits or restricts use of solar energy systems. Specifies that owner is not authorized to install system in or on common property (in planned communities) or general common element (for condominiums). Allows provision that establishes reasonable restrictions on size, appearance or location of systems that do not impair effective operation. Amends statute allowing petition to remove provisions to include those that violate this Act.

**ISSUES DISCUSSED:**

- Legislation would change the standard template that is often used when drafting bylaws
- Examples of people not being allowed to hang their clothes on clotheslines to dry
- Clothes dryer is the second most energy intensive appliance in a home

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** ORS 105.880 prohibits inclusion in an instrument conveying or contracting to convey real property a provision prohibiting the use of solar energy systems. House Bill 3090A expands the definition of “solar energy systems” to include a device, structure or mechanism for radiant drying of clothing in open air. The measure also extends the prohibition to the declaration or bylaws of a planned community or condominium.