

SENATE AMENDMENTS TO A-ENGROSSED HOUSE BILL 3090

By COMMITTEE ON RULES

June 23

1 On page 1 of the printed A-engrossed bill, line 2, after “energy” insert a period and delete the
2 rest of the line.

3 Delete lines 4 through 26 and delete pages 2 and 3 and insert:

4 **“SECTION 1. Section 2 of this 2009 Act is added to and made a part of ORS 94.550 to**
5 **94.783.**

6 **“SECTION 2. (1) As used in this section, ‘renewable energy device’ means:**

7 **“(a) A solar panel or other device for obtaining energy from solar, wind or other**
8 **renewable resources; or**

9 **“(b) A clothesline or other device that uses solar, wind or other renewable energy re-**
10 **sources to accomplish household tasks.**

11 **“(2) A provision of a declaration or the bylaws of a planned community, or any other**
12 **agreement limiting the rights of an owner, may not prohibit the installation or use of a**
13 **renewable energy device on the owner’s lot unless the provision or agreement was in effect**
14 **before the effective date of this 2009 Act.**

15 **“(3) This section does not:**

16 **“(a) Authorize an owner to install a renewable energy device in or on common property**
17 **or property maintained by the homeowners association.**

18 **“(b) Prohibit inclusion in a declaration or the bylaws, or any other agreement limiting**
19 **the rights of an owner, of a provision that establishes reasonable restrictions on size, ap-**
20 **pearance or location of a renewable energy device without impairing effective operation of**
21 **the renewable energy device.**

22 **“SECTION 3. Section 4 of this 2009 Act is added to and made a part of ORS chapter 100.**

23 **“SECTION 4. (1) As used in this section, ‘renewable energy device’ means:**

24 **“(a) A solar panel or other device for obtaining energy from solar, wind or other**
25 **renewable resources; or**

26 **“(b) A clothesline or other device that uses solar, wind or other renewable energy re-**
27 **sources to accomplish household tasks.**

28 **“(2) A provision of a declaration or the bylaws of a condominium, or any other agreement**
29 **limiting the rights of a unit owner, may not prohibit the installation or use of a renewable**
30 **energy device in or on the unit owner’s unit or in or on limited common elements reserved**
31 **exclusively for the use of the owner’s unit unless the provision or agreement was in effect**
32 **before the effective date of this 2009 Act.**

33 **“(3) This section does not:**

34 **“(a) Authorize a unit owner to install a renewable energy device in or on limited common**
35 **elements that are reserved for the use of more than one unit or in or on general common**

1 **elements.**

2 **“(b) Prohibit inclusion in a declaration or the bylaws, or any other agreement limiting**
3 **the rights of a unit owner, of a provision that establishes reasonable restrictions on size,**
4 **appearance or location of a renewable energy device without impairing effective operation**
5 **of the renewable energy device.”.**

6 _____