

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 04/07/15

Action: Do Pass As Amended And Be Printed Engrossed.

Meeting Dates: 02/12, 04/07

Vote:

Yeas: 5 - Boone, Helm, Holvey, Reardon, Vega Pederson

Nays: 4 - Bentz, Heard, Johnson, Weidner

Prepared By: Beth Patrino, Committee Administrator

WHAT THE MEASURE DOES:

Prohibits person conveying fee title to real property from including in instrument provision prohibiting installation and use of solar panels on residential lots. Declares provision in declaration or bylaws of planned community or condominium prohibiting owner from installing or using solar panels as void and unenforceable; specifies owner is person who owns roof or other exterior portion of building or improvement on which solar panels would be installed. Allows owner of record of property to file petition to remove such provision.

ISSUES DISCUSSED:

- Existing laws preventing restrictions on solar energy systems don't address non-governmental organizations such as homeowners associations
- Whether measure will affect homeowner associations design standards

EFFECT OF COMMITTEE AMENDMENT:

Clarifies meaning of "owner" and "unit owner" in planned community or condominium. Allows owner who does not purchase but who installs or contracts for installation of panels to enter into contract to purchase energy from person who owns panels or to assume ownership of panels at date certain.

BACKGROUND:

"Covenants, conditions and restrictions," commonly called CC&Rs, are a set of rules established by a developer or a homeowners association that govern residences in a particular neighborhood or condominium. CC&Rs are typically attached to the title of a property. In some cases, CC&Rs may prohibit or restrict the use of solar energy systems within a community.

House Bill 2559A would prohibit the conveyance of real property and CC&Rs that ban the installation and use of solar panels.