

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 05/04/15

Action: Do Pass The A-Eng Bill.

Meeting Dates: 05/04

Vote:

Yeas: 3 - Beyer, Monroe, Riley

Nays: 2 - Girod, Thomsen

Prepared By: James LaBar, 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:

- Prospective nature of the provision
- The key issue of only applying to owner-owned roofs
- Whether measure will affect homeowner associations design standards

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

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.