

HB 2111 -1 STAFF MEASURE SUMMARY

House Committee On Energy and Environment

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Meeting Dates: 3/6, 3/29, 4/5

WHAT THE MEASURE DOES:

Prohibits the inclusion of provisions in any declaration or bylaws of a planned community that prevent an owner from installing or using solar panels. Allows owner subject to such provisions to petition for removal of the provision.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Authorizes homeowners association to adopt and enforce provision that imposes reasonable size, placement or aesthetic requirements for installation or use of solar panels.

REVENUE: No revenue impact

FISCAL: No fiscal impact

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 2111 would prohibit the inclusion of provisions in any declaration or bylaws of a planned community that prevent an owner from installing or using solar panels. The Act would also allow an owner subject to such provisions to petition for removal of the provision.