

HB 2111 A STAFF MEASURE SUMMARY

Senate Committee On Business and Transportation

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Meeting Dates: 5/24

WHAT THE MEASURE DOES:

Prohibits the inclusion of any declaration or bylaws of a planned community that prevent an owner from installing or using solar panels. Allows an owner, subject to such provisions, to petition for removal of the provision. Authorizes homeowner associations to adopt and enforce provisions that impose reasonable size, placement or aesthetic requirements for installation or use of solar panels.

FISCAL: No fiscal impact

REVENUE: No revenue impact

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Common solar technologies include daylighting, passive solar space heating, solar water heating and solar electric or photovoltaic (PV) systems. Photovoltaic systems generate electricity, which is typically fed to the grid via an electric service panel. The majority of solar energy projects installed in Oregon are PV systems. Developers and homeowner associations typically utilize "covenants, conditions and restrictions," commonly referred to as CC&Rs, as rules that govern residences in a particular neighborhood or condominium. CC&Rs are typically attached to the title of a property; in some cases, they may prohibit or restrict the use of solar energy systems within the community.

House Bill 2111-A prohibits the inclusion, in any declaration or bylaws of a planned community, that prevent an owner from installing and using solar panels. The measure also allows an owner who is subject to such provisions to petition for the removal of the provision, and allows homeowner associations to adopt and enforce provisions that impose reasonable size, placement or aesthetic requirements for solar panel installation or use.

HOUSE VOTE: 56-3