

HB 2111 A STAFF MEASURE SUMMARY
House Committee On Energy and Environment

Carrier: Rep. Greenlick

Action Date: 04/10/17

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 9-0-0-0

Yeas: 9 - Barnhart, Bentz, Helm, Holvey, Johnson, Marsh, Power, Reschke, Smith DB

Fiscal: No fiscal impact

Revenue: No revenue impact

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WHAT THE MEASURE DOES:

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

ISSUES DISCUSSED:

- Ability of homeowners association to impose aesthetic requirements
- Other limitations included in declaration or bylaws of a planned community
- Appropriate placement of solar technologies

EFFECT OF AMENDMENT:

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

BACKGROUND:

Common solar technologies include daylighting, passive solar space heating, solar water heating and solar electric or photovoltaic (PV) systems. PV systems generate electricity, which is typically back fed to the grid through an electric service panel. The majority of solar energy projects being installed in Oregon are PV systems. "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 2111A 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 the removal of the provision and allow a homeowners association to adopt and enforce a provision that imposes reasonable size, placement or aesthetic requirements for solar panel installation or use.