

Enrolled
House Bill 2111

Sponsored by Representative GREENLICK; Representatives BARNHART, HELM (at the request of Jerry Weinert)

CHAPTER

AN ACT

Relating to solar access for residential real property.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS 94.550 to 94.783.

SECTION 2. (1) Except as provided in subsection (3) of this section, a provision in a declaration or bylaws of a planned community that prohibits an owner of the roof or other exterior portion of a building or improvement on which solar panels may be installed from installing or using solar panels for obtaining solar access, as described in ORS 215.044 and 227.190, is void and unenforceable as a violation of the public policy to protect the public health, safety and welfare of the people of Oregon.

(2) An owner of record of real property subject to an instrument that contains a provision described in subsection (1) of this section may file a petition to remove the provision in the manner provided in ORS 93.272 for removal of a provision from an instrument conveying or contracting to convey real property.

(3) A homeowners association may adopt and enforce a provision that imposes reasonable size, placement or aesthetic requirements for the installation or use of solar panels described in subsection (1) of this section.

Passed by House April 20, 2017

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate May 31, 2017

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2017

Approved:

.....M,....., 2017

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2017

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Dennis Richardson, Secretary of State