

House Bill 2111

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

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits inclusion of provisions prohibiting installation and use of solar panels for obtaining solar access in declaration or bylaws of planned community.

A BILL FOR AN ACT

1
2 Relating to solar access for residential real property.

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

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

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

10 **(2) An owner of record of real property subject to an instrument that contains a pro-**
11 **vision described in this section may file a petition to remove the provision in the manner**
12 **provided in ORS 93.272 for removal of a provision from an instrument conveying or con-**
13 **tracting to convey real property.**
14 _____

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.