

HB0372



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0372

Introduced 1/29/2021, by Rep. Daniel Didech

SYNOPSIS AS INTRODUCED:

765 ILCS 165/23 new

Amends the Homeowners' Energy Policy Statement Act. Provides that no political subdivision may place any restriction, either directly or indirectly, on the installation or use of a solar energy system unless the restriction: serves to preserve or protect public health or safety; or does not significantly decrease its production or efficiency. Limits home rule powers. Effective immediately.

LRB102 02670 LNS 12673 b

HOME RULE NOTE
ACT MAY APPLY

A BILL FOR

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Homeowners' Energy Policy Statement Act is
5 amended by adding Section 23 as follows:

6 (765 ILCS 165/23 new)

7 Sec. 23. Authority to restrict solar energy system. No
8 unit of local government, including a home rule unit of local
9 government, may place any restriction, either directly or
10 indirectly, on the installation or use of a solar energy
11 system, as defined in Section 10, unless the restriction:

12 (1) serves to preserve or protect public health or
13 safety; or

14 (2) does not significantly decrease the production or
15 efficiency of the solar energy system.

16 A home rule unit may not regulate the installation of
17 solar energy systems in a manner more restrictive than the
18 regulation by the State of the installation of solar energy
19 systems under this Act. This Section is a limitation under
20 subsection (i) of Section 6 of Article VII of the Illinois
21 Constitution on the concurrent exercise by home rule units of
22 powers and functions exercised by the State.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.