



Rep. Carol A. Sente

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09700HB0991ham003

LRB097 03811 AJ0 54112 a

1 AMENDMENT TO HOUSE BILL 991

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 991, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Homeowners' Solar Rights Act is amended by  
6 changing Sections 1 and 20 as follows:

7 (765 ILCS 165/1)

8 Sec. 1. Short title. This Act may be cited as the  
9 Homeowners' Energy Policy Statement ~~Solar Rights~~ Act.

10 (Source: P.A. 96-1436, eff. 1-1-11.)

11 (765 ILCS 165/20)

12 Sec. 20. Deed restrictions; covenants. No deed  
13 restrictions, covenants, or similar binding agreements running  
14 with the land shall prohibit or have the effect of prohibiting  
15 a solar energy system from being installed on a building

1 erected on a lot or parcel covered by the deed restrictions,  
2 covenants, or binding agreements, if the building is subject to  
3 a homeowners' association, common interest community  
4 association, or condominium unit owners' association. A  
5 property owner may not be denied permission to install a solar  
6 energy system by any entity granted the power or right in any  
7 deed restriction, covenant, or similar binding agreement to  
8 approve, forbid, control, or direct alteration of property.  
9 However, for purposes of this Act, the entity may determine the  
10 specific location where a solar energy system may be installed  
11 on the roof within an orientation to the south or within 45  
12 degrees east or west of due south provided that the  
13 determination does not impair the effective operation of the  
14 solar energy system. Within 120 days after a homeowners'  
15 association, common interest community association, or  
16 condominium unit owners' association receives a request for a  
17 policy statement or an application from an association member,  
18 ~~the Each homeowners' association, common interest community~~  
19 ~~association, or condominium unit owners' association shall~~  
20 adopt an energy policy statement regarding: (i) the location,  
21 design, and architectural requirements of solar energy  
22 systems; and (ii) whether a wind energy collection, rain water  
23 collection, or composting system is allowed, and, if so, the  
24 location, design, and architectural requirements of those  
25 systems ~~within 120 days after an association receives a request~~  
26 ~~for a policy statement or an application from an association~~

1 ~~member~~. An association shall disclose, upon request, its energy  
2 policy statement and shall include the statement in its  
3 homeowners' common interest community, or condominium unit  
4 owners' association declaration.

5 (Source: P.A. 96-1436, eff. 1-1-11.)".