



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2395

Introduced 2/7/2025, by Sen. Bill Cunningham

SYNOPSIS AS INTRODUCED:

New Act

Creates the Residential Automated Solar Permitting Platform Act. Provides that on or before July 1, 2026, municipalities with a population of more than 5,000 residents and all counties must adopt a residential automated solar permitting platform. Requires the public reporting of information about such a platform on the official website of the municipality and county. Provides that a person or entity aggrieved by a violation of the Act or any rule adopted under the Act may file a civil action in the county in which the alleged offense occurred or where any person who is party to the action resides, without regard to exhaustion of any alternative administrative remedies provided in the Act. Provides that a person or entity whose rights have been violated under the Act by a municipality or county is entitled to collect: (i) up to 50% of the total cost of the residential photovoltaic system installation for which the permit is requested; (ii) in the case of unlawful retaliation, all legal or equitable relief as may be appropriate; and (iii) attorney's fees and costs. Creates a statute of limitations for a civil action 3 years from the date that a person or entity requested a permit for a residential photovoltaic system.

LRB104 10247 JRC 20321 b

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 1. Short title. This Act may be cited as the
5 Residential Automated Solar Permitting Platform Act.

6 Section 5. Definitions. As used in this Act:

7 "Baseline residential code" means an edition of the
8 International Residential Code for One- and Two-Family
9 Dwellings first published by the International Code Council
10 during the current year or preceding 9 calendar years
11 excluding Parts IV and VII.

12 "Residential automated solar permitting platform" means
13 software or a combination of software that automates plan
14 review, automatically produces code-compliant approvals,
15 accepts online payments for permitting fees if permitting fees
16 are levied, and instantly issues permits and permit revisions
17 for residential photovoltaic systems upon online submission of
18 permitting fee payments, if permitting fees are levied, and a
19 code-compliant application. The residential automated solar
20 permitting platform shall be available for residential
21 photovoltaic systems up to the maximum capacity allowed with a
22 200-amp main service disconnect and installed to the
23 requirements of the baseline residential code that may include

1 an energy storage system up to the maximum capacity allowed
2 under the baseline residential code, a main panel upgrade, or
3 a main breaker derate.

4 Section 10. Adoption of platform. On or before July 1,
5 2026, municipalities with a population of more than 5,000
6 residents and all counties shall adopt a residential automated
7 solar permitting platform. The municipality or county shall
8 anticipate that the residential automated solar permitting
9 platform will have the capability to process at least 75% of
10 residential solar applications on existing construction
11 submitted to authorities having jurisdiction in the State.

12 For a solar photovoltaic system approved by such a
13 platform under this Section, municipalities and counties may
14 not require manual review at any time during the permitting
15 and inspection processes, including, but not limited to,
16 before issuing a permit or before conducting or finalizing the
17 inspection. This does not preclude an inspector from examining
18 construction documents.

19 Section 15. Reporting.

20 (a) On or before July 1, 2026, municipalities with a
21 population of more than 5,000 residents and all counties shall
22 include on their websites the availability of a residential
23 automated solar permitting platform and how to access it.

24 (b) Municipalities and counties shall publish compliance

1 reports to their official website when the municipality or
2 county is in compliance with Section 10. The reports shall be
3 published within 60 days of the municipality or county
4 becoming compliant with Section 10. The reports shall include
5 the following:

6 (1) the date of compliance;

7 (2) the software used for compliance;

8 (3) confirmation that the municipality or county is:

9 (A) using a residential automated solar permitting
10 platform to issue permits instantly and issue permit
11 revisions instantly for residential solar photovoltaic
12 systems; and

13 (B) not requiring manual review at any time during
14 the permitting and inspection processes, including,
15 but not limited to, before issuing a permit or before
16 conducting or finalizing the inspection for solar
17 photovoltaic systems approved by the residential
18 automated solar permitting platform; and

19 (4) an explanation as to why the municipality or
20 county anticipates the residential automated solar
21 permitting platform has the capability to process at least
22 75% of the residential solar photovoltaic permit
23 applications on existing construction submitted to
24 municipalities and counties in the State. Municipalities
25 and counties may provide explanations that are based on,
26 but are not necessarily limited to, statements from the

1 provider of the residential automated solar permitting
2 platform.

3 (c) Municipalities and counties of more than 5,000
4 residents and all counties shall publish annual reports on
5 their website on the usage of the residential automated solar
6 permitting platform. A municipality and county shall publish
7 the report annually by April 1st each year, covering the
8 previous calendar year, starting on April 1, 2027. This annual
9 reporting requirement shall become inoperative on April 2,
10 2036. The reports shall include the following:

11 (1) the number of permits issued through the
12 residential automated solar permitting platform and
13 relevant characteristics of those systems;

14 (2) the number of residential photovoltaic solar
15 permits issued by means other than the residential
16 automated solar permitting platform and relevant
17 characteristics of those systems;

18 (3) the software used for compliance; and

19 (4) confirmation that the municipality or county is:

20 (A) using a residential automated solar permitting
21 platform to issue permits instantly and issue permit
22 revisions instantly for residential solar photovoltaic
23 systems;

24 (B) not requiring manual review at any time during
25 the permitting and inspection processes, including,
26 but not limited to, before issuing a permit or before

1 conducting or finalizing the inspection for permits
2 and permit revisions issued by the residential
3 automated solar permitting platform; and

4 (C) plan to increase usage of the residential
5 automated solar permitting platform if fewer than 75%
6 of residential solar photovoltaic permits are issued
7 through the automated permitting platform on existing
8 construction.

9 Section 20. Remedies.

10 (a) A person or entity aggrieved by a violation of this Act
11 or any rule adopted under this Act by a municipality or county
12 may file a civil action in the county in which the alleged
13 offense occurred or where any person who is party to the action
14 resides, without regard to exhaustion of any alternative
15 administrative remedies provided in this Act. Actions may be
16 brought by one or more persons or entities for and on behalf of
17 themselves and other persons similarly situated. A person or
18 entity whose rights have been violated under this Act by a
19 municipality or county is entitled to collect:

20 (1) up to 50% of the total cost of the residential
21 photovoltaic system installation for which the permit is
22 requested;

23 (2) in the case of unlawful retaliation, all legal or
24 equitable relief as may be appropriate; and

25 (3) attorney's fees and costs.

1 (b) The right of an interested party or aggrieved person
2 to bring an action under this Act terminates after 3 years from
3 the date that a person or entity requested a permit for a
4 residential photovoltaic system. This limitation period is
5 tolled if a municipality or county has deterred a person's
6 exercise of rights under this Act.

7 Section 25. Local ordinances. Beginning July 1, 2026, any
8 municipal building code or county building code must regulate
9 photovoltaic systems and stationary storage battery systems in
10 one-family and 2-family dwellings in a manner that is at least
11 as stringent as the baseline residential code.

12 Section 30. Remote inspections. On or before July 1 2026,
13 municipalities with a population of more than 5,000 residents
14 and all counties shall provide an option for remote
15 inspections via recorded video or photo that can be submitted
16 electronically for projects permitted by the residential
17 automated solar permitting platform. These inspections shall
18 be offered at no greater cost and shall be available with no
19 greater delay than in-person inspections.

20 (1) A municipality or county shall require no more
21 than one inspection for projects permitted by the
22 automated solar permitting software unless the first
23 inspection failed.

24 (2) A municipality or county that does not require a

1 permit for residential photovoltaic solar and storage
2 systems is exempt from the requirements in this section.