

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' Solar Rights Act is amended by  
5 changing Sections 1 and 20 as follows:

6 (765 ILCS 165/1)

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

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

10 (765 ILCS 165/20)

11 Sec. 20. Deed restrictions; covenants. No deed  
12 restrictions, covenants, or similar binding agreements running  
13 with the land shall prohibit or have the effect of prohibiting  
14 a solar energy system from being installed on a building  
15 erected on a lot or parcel covered by the deed restrictions,  
16 covenants, or binding agreements, if the building is subject to  
17 a homeowners' association, common interest community  
18 association, or condominium unit owners' association. A  
19 property owner may not be denied permission to install a solar  
20 energy system by any entity granted the power or right in any  
21 deed restriction, covenant, or similar binding agreement to  
22 approve, forbid, control, or direct alteration of property.

1 However, for purposes of this Act, the entity may determine the  
2 specific location where a solar energy system may be installed  
3 on the roof within an orientation to the south or within 45  
4 degrees east or west of due south provided that the  
5 determination does not impair the effective operation of the  
6 solar energy system. Within 120 days after a homeowners'  
7 association, common interest community association, or  
8 condominium unit owners' association receives a request for a  
9 policy statement or an application from an association member,  
10 the ~~Each homeowners' association, common interest community~~  
11 ~~association, or condominium unit owners'~~ association shall  
12 adopt an energy policy statement regarding: (i) the location,  
13 design, and architectural requirements of solar energy  
14 systems; and (ii) whether a wind energy collection, rain water  
15 collection, or composting system is allowed, and, if so, the  
16 location, design, and architectural requirements of those  
17 systems ~~within 120 days after an association receives a request~~  
18 ~~for a policy statement or an application from an association~~  
19 ~~member.~~ An association shall disclose, upon request, its energy  
20 policy statement and shall include the statement in its  
21 homeowners' common interest community, or condominium unit  
22 owners' association declaration.

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