

A BILL FOR AN ACT

RELATING TO SOLAR ENERGY DEVICES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Section 196-7, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) Every private entity shall adopt rules by December 31, 2006, that provide for the placement of solar energy devices~~[-]~~, and revise those rules as necessary by July 1, 2011. The rules shall facilitate the placement of solar energy devices and shall not ~~[unduly or unreasonably restrict that placement so as to]~~ impose conditions or restrictions that render the device more than twenty-five per cent less efficient or ~~[to]~~ increase the cost of installation, maintenance, and removal of the device by more than fifteen per cent. No private entity shall assess or charge any homeowner any fees or require an encumbrance on title for the placement of any solar energy device."

SECTION 2. Section 196-7, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) Every private entity shall adopt rules by December 31, 2006, that provide for the placement of solar



1 energy devices~~[-]~~, and revise those rules as necessary by
2 July 1, 2011. The rules shall facilitate the placement of solar
3 energy devices and shall not ~~[unduly or unreasonably restrict~~
4 ~~that placement so as to]~~ impose conditions or restrictions that
5 render the device more than twenty-five per cent less efficient
6 or ~~[to]~~ increase the cost of installation, maintenance, and
7 removal of the device by more than fifteen per cent. No private
8 entity shall assess or charge any homeowner any fees for the
9 placement of any solar energy device."

10 SECTION 3. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 4. This Act, except section 2, shall take effect
13 on July 1, 2010; provided that on June 30, 2015:

14 (1) Section 1 of this Act shall be repealed; and

15 (2) Section 2 of this Act shall take effect.



Report Title:

Solar Energy Device; Homeowners Associations

Description:

Requires every private homeowners association or entity to revise rules by July 1, 2011, that shall not impose conditions or restrictions that render a solar energy device more than 25 per cent less effective; increase the cost of installation, maintenance, and removal of a solar energy device by more than 15 per cent; or until June 20, 2015, require an encumbrance on title because of the placement of the solar energy device.

(CD1)

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