

HOUSE BILL No. 2268

By Committee on Local Government

2-1

1 AN ACT concerning property; relating to homeowners' associations;
2 prohibiting such associations from restricting installation of solar
3 energy devices.

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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) No deed, restrictive covenant, bylaw, rule or declaration
7 of an association shall limit or prohibit, or have the effect of limiting or
8 prohibiting, the installation of solar energy devices upon the rooftop of any
9 unit owned by a unit owner.

10 (b) An association may adopt reasonable rules regarding the
11 placement of solar energy devices on the rooftop of any unit, but such
12 provisions shall not:

- 13 (1) Prevent the installation of the device;
14 (2) impair the functioning of the device;
15 (3) restrict the use of the device; or
16 (4) adversely affect the cost or efficiency of the device.

17 (c) The provisions of this section shall not apply to the installation of
18 solar energy devices on common elements or limited common elements.

19 (d) This section shall be a part of and supplemental to the Kansas
20 uniform common interest owners bill of rights act, K.S.A. 58-4601 et seq.,
21 and amendments thereto.

22 Sec. 2. This act shall take effect and be in force from and after its
23 publication in the statute book.