

Rep. McConnell, Rock. 11
Rep. Williams, Hills. 4
February 26, 2020
2020-0900h
10/04

Amendment to HB 1535

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to installation of solar photovoltaic energy systems by owners subject to deed
4 restrictions in a homeowners association.

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6 Amend the bill by replacing all after the enacting clause with the following:

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8 1 New Section; Interests in Realty; Solar Photovoltaic Systems. Amend RSA 477 by inserting
9 after section 22-a the following new section:

10 477:22-b Solar Photovoltaic Systems; Enforcement of Restrictions; Homeowners' Associations.

11 I. Any covenant, condition, or restriction contained in any deed, contract, mortgage, security
12 instrument, or other instrument pertaining to a conveyance, sale, or transfer of real property or
13 interest therein which prohibits or unreasonably limits the installation or use of a solar photovoltaic
14 system by an owner on the real property controlled by such owner, and not in any shared or common
15 area, shall be void and unenforceable.

16 II. A covenant, condition, or restriction shall be considered unreasonable for the purposes of
17 this section if it significantly increases the cost and expense of the solar photovoltaic system to its
18 owner or user, or significantly decreases its efficiency, or otherwise effectively discourages the
19 installation or use of a solar photovoltaic system.

20 III. This section shall apply to the installation and use of a solar photovoltaic system by an
21 owner in a homeowners' association on and after the effective date of this section.

22 2 Effective Date. This act shall take effect 60 days after its passage.

Amendment to HB 1535
- Page 2 -

2020-0900h

AMENDED ANALYSIS

This bill prohibits deed restrictions or covenants of homeowners' associations from prohibiting or restricting the installation and use of a solar photovoltaic energy system.