

## **BILL ANALYSIS**

Senate Research Center

S.B. 1626  
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4/10/2015  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 1626 is intended to restore freedom to homeowners who wish to install solar technology on their homes.

Neighborhoods that are still not fully built out are considered to be in the “development phase,” and are typically under management of the homebuilder or developer, prior to being turned over to an independent property owners association (POA). Under current law, POAs can block residents from installing solar if the solar “substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance” to the property’s neighbors. Furthermore, developers can block residents from installing solar if the neighborhood is still in the development phase.

S.B. 1626 provides that during the development period, the developer may only prohibit a property owner from installing solar in developments with 50 or fewer units.

The bill does not affect the ability of a POA to block solar installations under the existing guidelines.

As proposed, S.B. 1626 amends current law relating to the regulation by a developer of the installation of solar energy devices in a residential subdivision.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 202.010(f), Property Code, to authorize a declarant to prohibit or restrict a property owner from installing a solar energy device in developments with 50 or fewer units/lots during the development period of a subdivision.

SECTION 2. Effective date: September 1, 2015.