

BILL ANALYSIS

H.B. 328
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Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Solar roof tiles are miniature solar panels that resemble roof shingles and comprise an entire roof, unlike regular solar panels, which are placed on top of existing shingles. A constituent was recently prevented from installing solar roof tiles by a property owners' association. In 2011, the Texas Legislature passed a bill that prohibited such associations from implementing certain solar panel restrictions, but the technology for solar roof tiles did not yet exist, and so those tiles are not expressly recognized as solar energy devices in the applicable law. H.B. 328 seeks to update Property Code provisions to clarify that the term "solar energy device" includes a solar roof tile for purposes of property owners' association regulations.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 328 amends the Property Code to clarify that the term "solar energy device" includes a solar roof tile for purposes of the regulation of solar energy devices by a property owners' association.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.