

BILL ANALYSIS

Senate Research Center
89R3815 DRS-D

H.B. 431
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Business & Commerce
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Texas Property Code does not recognize solar roof tiles as "solar energy devices." This allows home owners' associations (HOA) to restrict their appearance and size. Solar 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. In H.B. 362 (85R), solar panels were granted legal protection against these HOA restrictions, but solar tiles were not because the technology did not yet exist. H.B. 431 would update this outdated statute and grant protections for homeowners who are trying to save on energy costs with these devices.

H.B. 431 would expand the language of H.B. 362 (85R) to be inclusive of solar tiles to prevent HOAs from exploiting loopholes and to protect Texans hoping to cut their energy costs via solar tiles.

H.B. 431 amends current law relating to the regulation by a property owners' association of the installation of solar roof tiles.

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(a)(2), Property Code, to redefine "solar energy device" to include a solar roof tile.

SECTION 2. Provides that the amendment by this Act of Section 202.010(a)(2), Property Code, is intended to clarify rather than change existing law.

SECTION 3. Effective date: upon passage or September 1, 2025.