
A BILL FOR AN ACT

RELATING TO ENERGY RESOURCES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to prohibit
2 condominium associations and like entities from preventing the
3 placement of solar energy devices that are engineered designed
4 systems on the grounds that the solar energy devices do not meet
5 the association's design specifications.

6 SECTION 2. Section 196-7, Hawaii Revised Statutes, is
7 amended by amending subsections (b) and (c) to read as follows:

8 "(b) Every private entity shall adopt rules by
9 December 31, 2006, that provide for the placement of solar
10 energy devices. The rules shall facilitate the placement of
11 solar energy devices and shall not unduly or unreasonably
12 restrict that placement so as to render the device more than
13 twenty-five per cent less efficient or to increase the cost of
14 the device by more than fifteen per cent. Under no
15 circumstances shall the rules prohibit the installation of solar
16 energy devices that are engineered designed systems. No private
17 entity shall assess or charge any homeowner any fees for the
18 placement of any solar energy device.



1 (c) Any person may place a solar energy device on any
2 single-family residential dwelling or townhouse unit owned by
3 that person, provided that:

4 (1) The device is in compliance with the rules and
5 specifications adopted pursuant to subsection (b);

6 (2) The device is registered with the private entity of
7 record within thirty days of installation; and

8 (3) If the device is placed on a common element or limited
9 common element as defined by a project's declaration,
10 the homeowner shall first obtain the consent of the
11 private entity; provided further that such consent
12 shall be given if the homeowner agrees in writing to:

13 (A) Comply with the private entity's design
14 specification for the installation of the device;
15 provided that under no circumstance shall the
16 private entity's design specifications preempt
17 engineered designed systems;

18 (B) Engage a duly licensed contractor to install the
19 device; and

20 (C) Within fourteen days of approval of the solar
21 device by the private entity, provide a
22 certificate of insurance naming the private

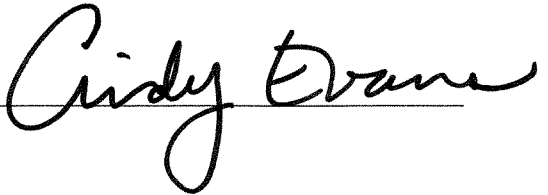
1 entity as an additional insured on the
2 homeowner's insurance policy."

3 SECTION 3. New statutory material is underscored.

4 SECTION 4. This Act shall take effect on July 1, 2008.

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INTRODUCED BY:



JAN 09 2008



Report Title:

Solar Devices

Description:

Prohibits condominium associations and like entities from preventing homeowners of single-family residential dwellings or townhouses from installing a solar energy device that meets engineered designed systems.

