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# A BILL FOR AN ACT

RELATING TO ENERGY.

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

1           SECTION 1. The legislature finds that electric clothes  
2 dryers make up over ten per cent of many households' total  
3 energy use. Reducing the use of electric clothes dryers  
4 statewide could substantially decrease the amount of energy that  
5 households use and thereby reduce the amount of fossil fuels  
6 used to generate electricity in the State.

7           The legislature finds that simple clotheslines make  
8 efficient use of two abundant resources, sun and wind, to dry  
9 clothing. For aesthetic reasons, however, many homeowners'  
10 associations prohibit the use of clotheslines or render them  
11 ineffective through unreasonably restrictive regulation. The  
12 legislature further finds that although aesthetic concerns still  
13 exist today, they are not necessarily incompatible with  
14 environmental and energy security concerns, especially in the  
15 current context of high energy costs, climate change issues, and  
16 Hawaii's goal of increasing energy independence and maintaining  
17 an aesthetically pleasing environment.

1           The purpose of this Act is to prohibit real estate  
2 contracts, agreements, and rules from precluding or rendering  
3 ineffective the use of clotheslines on the premises of  
4 single-family dwellings.

5           SECTION 2. Section 196-7, Hawaii Revised Statutes, is  
6 amended as follows:

7           1. By amending subsection (a) to read:

8           "(a) Notwithstanding any law to the contrary, no person  
9 shall be prevented by any covenant, declaration, bylaws,  
10 restriction, deed, lease, term, provision, condition, codicil,  
11 contract, or similar binding agreement, however worded, from  
12 installing a solar energy device on any single-family  
13 residential dwelling or townhouse that the person owns[-], or  
14 erecting and using a clothesline for the purpose of drying  
15 clothes on the premises of any detached single-family  
16 residential dwelling or townhouse that the person owns; provided  
17 that the board of directors or other private entity with  
18 responsibility for the single-family dwelling or townhouse may  
19 implement reasonable restrictions with regard to clotheslines;  
20 provided further that the restrictions do not prohibit the use  
21 of clotheslines altogether or deny access to air or sunlight  
22 requirements reasonably necessary for the effective use of the

1 clothesline. Any provision in any lease, instrument, or  
2 contract contrary to the intent of this section shall be void  
3 and unenforceable."

4 2. By amending subsection (f) to read:

5 "(f) For the purposes of this section:

6 "Private entity" means any association of homeowners,  
7 community association, condominium association, cooperative, or  
8 any other non-governmental entity with covenants, bylaws, and  
9 administrative provisions with which the homeowner's compliance  
10 is required.

11 "Solar energy device" means any identifiable facility,  
12 equipment, apparatus, or the like~~[, including a photovoltaic~~  
13 ~~cell application,]~~ that is applicable to a single-family  
14 residential dwelling or townhouse and makes use of solar energy  
15 for heating, cooling, or reducing the use of other types of  
16 energy dependent upon fossil fuel for generation~~[,]~~ including  
17 but not limited to photovoltaic cell applications and  
18 clotheslines; provided that for the purposes of this section,  
19 "clothesline" means a rope, cord, or wire on which laundry is  
20 hung to dry; provided further that "solar energy device" shall  
21 not include skylights or windows."

1 SECTION 3. Section 235-12.5, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3 "(b) For the purposes of this section:

4 "Actual cost" means costs related to the renewable energy  
5 technology systems under subsection (a), including accessories  
6 and installation, but not including the cost of consumer  
7 incentive premiums unrelated to the operation of the system or  
8 offered with the sale of the system and costs for which another  
9 credit is claimed under this chapter.

10 "Renewable energy technology system" means a new system  
11 that captures and converts a renewable source of energy, such as  
12 wind, heat (solar thermal), or light (photovoltaic) from the sun  
13 into:

14 (1) A usable source of thermal or mechanical energy;

15 (2) Electricity; or

16 (3) Fuel[~~-~~];

17 provided that for the purposes of this section "renewable energy  
18 technology system" shall not include skylights, windows, or  
19 clotheslines.

20 "Solar or wind energy system" means any identifiable  
21 facility, equipment, apparatus, or the like that converts  
22 insolation or wind energy to useful thermal or electrical energy

1 for heating, cooling, or reducing the use of other types of  
2 energy that are dependent upon fossil fuel for their  
3 generation~~[ ]~~; provided that for the purposes of this section,  
4 "solar or wind energy system" shall not include skylights,  
5 windows, or clotheslines."

6 SECTION 4. This Act does not affect rights and duties that  
7 matured, penalties that were incurred, and proceedings that were  
8 begun, before its effective date.

9 SECTION 5. Statutory material to be repealed is bracketed  
10 and stricken. New statutory material is underscored.

11 SECTION 6. This Act shall take effect upon its approval.

**Report Title:**

Solar Energy; Clotheslines

**Description:**

Allows for the use of clotheslines at any privately owned single-family residential dwelling or townhouse. Allows reasonable restrictions on the use of clotheslines. (SD2)