



# House of Representatives

General Assembly

**File No. 108**

February Session, 2008

Substitute House Bill No. 5596

*House of Representatives, March 20, 2008*

The Committee on Energy and Technology reported through REP. FONTANA, S. of the 87th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING THE FREEDOM TO DRY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2008*) (a) For the purposes of this  
2 section, "governing body" means any municipality, political  
3 subdivision of the state, fire district, sewer district, village, beach or  
4 improvement association or any other district or association or any  
5 condominium or cooperative association; and "direct solar energy"  
6 means direct sunlight or ambient outside air warmed by sunlight.

7 (b) No governing body may impose an ordinance, regulation or  
8 other restriction prohibiting the drying of clothes using direct solar  
9 energy through the use of clotheslines, drying racks or other apparatus  
10 in any residential setting.

11 (c) No deed restrictions, covenants, landlord-tenant agreements,  
12 private contracts or similar binding agreements running with the land  
13 shall prohibit, or have the effect of prohibiting, the drying of clothes

14 using direct solar energy through the use of clotheslines or drying  
 15 racks in any residential setting, provided such clotheslines or drying  
 16 racks do not affect public safety, including, but not limited to,  
 17 hampering access to public buildings or impeding rapid emergency  
 18 egress.

19 (d) Notwithstanding subsection (c) of this section, a governing body  
 20 may prohibit the drying of clothes using direct solar energy through  
 21 the use of clotheslines or drying racks in any residential setting if (1)  
 22 nonpermanent alternatives, such as folding racks, would provide the  
 23 same drying service as permanent installations of clotheslines and  
 24 supporting structures; (2) functionally equivalent alternate drying  
 25 facilities, such as indoor drying rooms, are available, provided said  
 26 facilities do not rely on the use of electricity or fossil fuels specifically  
 27 for drying; or (3) such prohibitions incorporate aesthetic  
 28 considerations, provided such restrictions do not substantially  
 29 interfere with access to direct solar energy for drying purposes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2008</i>	New section

**ET**            *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

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***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***Explanation***

This bill generally prohibits municipalities and various other entities from imposing ordinances, regulations, or other restrictions prohibiting the drying of clothes using direct solar energy through the use of clotheslines, drying racks, or other apparatus in any residential setting. There is no fiscal impact associated with this bill.

***The Out Years***

***State Impact:*** None

***Municipal Impact:*** None

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**OLR Bill Analysis**

**sHB 5596**

***AN ACT CONCERNING THE FREEDOM TO DRY.***

**SUMMARY:**

This bill generally prohibits municipalities and various other entities from imposing ordinances, regulations, or other restrictions prohibiting the drying of clothes using direct solar energy through the use of clotheslines, drying racks, or other apparatus in any residential setting. The entities are political subdivisions of the state, fire or sewer districts, villages, beach or improvement associations, any other district or association, and any condominium or cooperative association. However, the municipality or entity can adopt such a prohibition if:

1. nonpermanent alternatives, such as folding racks, would provide the same service as permanent installations of clotheslines and supporting structures;
2. functionally equivalent alternate drying facilities that do not use electricity or fossil fuels specifically for drying, such as indoor drying rooms, are available; or
3. the prohibitions incorporate aesthetic considerations that do not substantially interfere with access to direct solar energy for drying purposes.

The bill also prohibits binding agreements running with the land that prohibit, or have the effect of prohibiting, the drying of clothes using direct solar energy through the use of clotheslines or drying racks in any residential setting, so long as the clotheslines or drying racks do not affect public safety, including hampering access to public

buildings or impeding rapid emergency egress. The agreements include deed restrictions, covenants, landlord-tenant agreements, and private contracts. The bill does not state whether it applies to existing contracts or other agreements. Article I, Section 10 of the U.S. Constitution bars states from passing laws impairing the obligations of contracts.

EFFECTIVE DATE: July 1, 2008

**COMMITTEE ACTION**

Energy and Technology Committee

Joint Favorable Substitute

Yea 12 Nay 9 (03/06/2008)