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## OLR Bill Analysis

### HB 6805

#### ***AN ACT CONCERNING SOLAR INSTALLATIONS IN CONDOMINIUMS AND COOPERATIVES.***

#### **SUMMARY**

This bill prohibits condominiums and cooperatives from adopting or enforcing rules restricting unit owners' installation of solar generating systems (i.e., solar panels) on their own unit's roof, provided the roof is not shared. It does so by expanding a prohibition that currently only applies to other types of common interest communities (i.e., planned communities).

As under current law, the bill allows associations to adopt rules prohibiting unit owners from installing these systems on common elements. (Roofs that are not physically shared may nonetheless be jointly owned as common elements; see BACKGROUND.) As under current law, the bill also allows associations to adopt rules governing these systems with respect to (1) their size; (2) how they are attached, installed, and removed; and (3) the unit owner's responsibility for their maintenance and periodic upkeep.

Under existing law, unchanged by the bill, the association's executive board must give unit owners certain notice before adopting any rules and any adopted rules must be reasonable.

EFFECTIVE DATE: October 1, 2023

#### **BACKGROUND**

##### ***Common Elements***

Under the Common Interest Ownership Act, common elements of condominiums and cooperatives include all portions of the community other than the owners' individual units (CGS § 47-202(6)). In many common interest communities, the roofs over units are common

elements, unless the declaration states otherwise. (A declaration is the document that creates the common interest community.)

**COMMITTEE ACTION**

Planning and Development Committee

Joint Favorable

Yea 21 Nay 0 (03/22/2023)