



General Assembly

January Session, 2023

Raised Bill No. 6805

LCO No. 4517



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:
(PD)

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

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

1 Section 1. Section 47-261b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2023*):

3 (a) At least ten days before adopting, amending or repealing any rule,
4 the executive board shall give all unit owners notice of (1) The executive
5 board's intention to adopt, amend or repeal a rule and shall include with
6 such notice the text of the proposed rule or amendment, or the text of
7 the rule proposed to be repealed; and (2) the date on which the executive
8 board will act on the proposed rule, amendment or repeal after
9 considering comments from unit owners.

10 (b) Following adoption, amendment or repeal of a rule, the
11 association shall give all unit owners notice of its action and include
12 with such notice a copy of any new or amended rule.

13 (c) Subject to the provisions of the declaration, an association may
14 adopt rules to establish and enforce construction and design criteria and

15 aesthetic standards. If an association adopts such rules, the association
16 shall adopt procedures for enforcement of those rules and for approval
17 of construction applications, including a reasonable time within which
18 the association shall act after an application is submitted and the
19 consequences of its failure to act.

20 (d) A rule regulating display of the flag of the United States shall be
21 consistent with federal law. In addition, the association may not prohibit
22 display, on a unit or on a limited common element adjoining a unit, of
23 the flag of this state, or signs regarding candidates for public or
24 association office or ballot questions, but the association may adopt
25 rules governing the time, place, size, number and manner of those
26 displays.

27 (e) Unit owners may peacefully assemble on the common elements to
28 consider matters related to the common interest community, but the
29 association may adopt rules governing the time, place and manner of
30 those assemblies.

31 (f) An association may adopt rules that affect the use of or behavior
32 in units that may be used for residential purposes, only to:

33 (1) Implement a provision of the declaration;

34 (2) Regulate any behavior in or occupancy of a unit which violates the
35 declaration or adversely affects the use and enjoyment of other units or
36 the common elements by other unit owners; or

37 (3) Restrict the leasing of residential units to the extent those rules are
38 reasonably designed to meet underwriting requirements of institutional
39 lenders that regularly make loans secured by first mortgages on units in
40 common interest communities or regularly purchase those mortgages,
41 provided no such restriction shall be enforceable unless notice thereof is
42 recorded on the land records of each town in which any part of the
43 common interest community is located. Such notice shall be indexed by
44 the town clerk in the grantor index of such land records in the name of
45 the association.

46 (g) [In the case of a common interest community that is not a
47 condominium or a cooperative, an] An association may not adopt or
48 enforce any rules that would have the effect of prohibiting any unit
49 owner from installing a solar power generating system on the roof of
50 such owner's unit, provided such roof is not shared with any other unit
51 owner. An association may adopt rules governing (1) the size and
52 manner of affixing, installing or removing a solar power generating
53 system; (2) the unit owner's responsibilities for periodic upkeep and
54 maintenance of such solar power generating system; and (3) a
55 prohibition on any unit owner installing a solar power generating
56 system upon any common elements of the association.

57 (h) An association's internal business operating procedures need not
58 be adopted as rules.

59 (i) Each rule of the association shall be reasonable.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2023</i>	47-261b
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Statement of Purpose:

To prohibit condominiums or cooperatives from restricting the installation of certain solar power generating systems.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]