



General Assembly

***Raised Bill No. 6805***

January Session, 2023

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 Section 47-261b of the general statutes is repealed and the  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  
4 rule, the executive board shall give all unit owners notice of (1) The  
5 executive board's intention to adopt, amend or repeal a rule and shall  
6 include with such notice the text of the proposed rule or amendment,  
7 or the text of the rule proposed to be repealed; and (2) the date on  
8 which the executive board will act on the proposed rule, amendment  
9 or repeal after 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  
15 and aesthetic standards. If an association adopts such rules, the  
16 association shall adopt procedures for enforcement of those rules and  
17 for approval of construction applications, including a reasonable time  
18 within which the association shall act after an application is submitted  
19 and the 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  
22 prohibit display, on a unit or on a limited common element adjoining a  
23 unit, of 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  
28 to 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  
35 the declaration or adversely affects the use and enjoyment of other  
36 units or the common elements by other unit owners; or

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

45 index of such land records in the name of 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  
51 unit 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:		
Section 1	October 1, 2023	47-261b

**PD**      *Joint Favorable*