

JOINT COMMITTEE ON TELECOMMUNICATIONS, UTILITIES, AND ENERGY

BILL SUMMARY

BILL NO. H.3496

TITLE: An Act ensuring solar energy access

SPONSOR: Representative Josh S. Cutler

COMMITTEE: Telecommunications, Utilities, and Energy

HEARING DATE: October 9, 2025

PRIOR HISTORY: 2023-2024: H.3685, sent to a House study

CURRENT LAW:

Section 23C of Chapter 184 prohibits any provision in an instrument relative to the ownership or use of real property from banning or unreasonably restricting the installation or use of a solar energy system or associated structures.

SUMMARY:

This bill strengthens the prevention of private land covenants from barring or unreasonably restricting the use or installation of solar facilities. It clarifies that the law applies to homeowners' associations, provides examples of unreasonable restrictions, and allows civil action for injunctive relief in the case of violations.

Unreasonable restrictions include, but are not limited to, restrictions that:

- (i) increase the cost of installing or using the solar energy system by more than 10 per cent, or by more than \$1,000, whichever is lower;
- (ii) decrease the efficiency of the solar energy system by more than 10 per cent of its originally specified efficiency; and
- (iii) substantially curtail or burden solar access.