

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 618

By: Hicks

AS INTRODUCED

An Act relating to owners' associations; defining terms; prohibiting deed restrictions or covenants that prohibit use of solar panels; authorizing certain rules regarding placement of solar panels; applying provisions to certain property; providing for retroactive applicability of provisions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 859 of Title 60, unless there is created a duplication in numbering, reads as follows:

A. For the purposes of this section:

1. "Owners' association" shall have the same meaning as defined in Section 852 of Title 60 of the Oklahoma Statutes; and

2. "Solar panel" or "solar collector" means a device used to collect and convert solar energy into electricity or thermal energy including but not limited to photovoltaic cells or panels or solar thermal systems.

1 B. No deed restrictions, covenants, bylaws, or other governing
2 documents of the owners' association shall prohibit or limit, or
3 have the effect of prohibiting or limiting, the installation of
4 solar panels or solar collectors on the rooftop of any property or
5 structure. An owners' association may adopt reasonable rules
6 regarding the placement of solar panels or solar collectors to the
7 extent that such rules do not prevent the installation, impair the
8 functioning, restrict the use, or adversely affect the cost or
9 efficiency of the solar panels or solar collectors.

10 C. The requirements of this section shall apply only to
11 rooftops that are owned, controlled, and maintained by the owner of
12 the individual property or structure.

13 D. The requirements of this section shall apply to deed
14 restrictions, covenants, bylaws, or other governing documents of the
15 owners' association recorded or otherwise in effect on the effective
16 date of this act.

17 SECTION 2. This act shall become effective November 1, 2023.

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