

HOUSE BILL NO. 6534

November 30, 2022, Introduced by Rep. Rabhi and referred to the Committee on Commerce and Tourism.

A bill to invalidate provisions in certain homeowners' association agreements requiring association approval for the replacement, maintenance, installation, or operation of energy-saving improvements and modifications or renewable energy generating systems; and to prohibit local units of government from requiring such homeowners' association approval.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act may be cited as the "energy-saving
2 residential improvement act".

3 Sec. 2. As used in this act:

1 (a) "Energy-saving improvement or modification" includes, but
2 is not limited to, all of the following:

3 (i) A clothesline.

4 (ii) Geothermal.

5 (iii) Heat pumps.

6 (iv) Insulation.

7 (v) Reflective roofing.

8 (vi) Energy efficient appliances.

9 (vii) Solar water heaters.

10 (viii) Electric charging stations for vehicles.

11 (ix) Energy efficient windows.

12 (x) Energy efficient insulation materials.

13 (b) "Local unit" means a county, township, city, or village.

14 (c) "Renewable energy generating system" means any of the
15 following:

16 (i) A photovoltaic generation system, a wind generation system,
17 or a solar-thermal generation system with a capacity of up to 150
18 kilowatts that is used to offset home or personal vehicle energy
19 usage.

20 (ii) Necessary equipment for grid interconnection and home
21 energy storage.

22 Sec. 3. A provision in a homeowners' association agreement
23 that prohibits, or requires association approval for, a homeowner
24 to replace, maintain, install, or operate an energy-saving
25 improvement or modification or a renewable energy generating system
26 is invalid and unenforceable.

27 Sec. 4. An improvement or modification made for the purpose of
28 saving energy or replacing, maintaining, installing, or operating

1 an energy-saving improvement or modification or a renewable energy
2 generating system must comply with all applicable state and local
3 building code requirements, permit requirements, and health and
4 safety laws and ordinances and must be made as closely as
5 reasonably possible in conformity with the intent of any
6 homeowners' association prohibitions and restrictions regarding
7 safety and aesthetics of the proposed modification.

8 Sec. 5. A local unit must not require a homeowner to obtain
9 the approval of a homeowners' association to replace, maintain,
10 install, or operate an energy-saving improvement or modification or
11 a renewable energy generating system.

12 Sec. 6. Subject to section 5, this act does not prohibit a
13 local unit from imposing requirements that may prohibit or limit
14 the replacement, maintenance, installation, or operation of an
15 energy-saving improvement or modification or a renewable energy
16 generating system by a homeowner.

17 Enacting section 1. This act takes effect 90 days after the
18 date it is enacted into law.