**A** **BILL**

TO AMEND ARTICLE 1, CHAPTER 30, TITLE 27 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA HOMEOWNERS ASSOCIATION ACT, BY ADDING SECTION 27-30-135, TO RENDER A DEED RESTRICTION, COVENANT, OR HOMEOWNERS ASSOCIATION DOCUMENT INTENDED TO PROHIBIT THE INSTALLATION OF A SOLAR ENERGY SYSTEM VOID AND UNENFORCEABLE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 30, Title 27 of the 1976 Code is amended by adding:

“Section 27-30-135. (A) A restrictive covenant, declaration, rule, contractual provision, or other provision concerning the installation and utilization of a solar energy system found in a deed, a contract, a lease, a rental agreement, or the governing documents of a homeowners association that would prohibit or have the effect of prohibiting the installation and utilization of a solar energy system is void and unenforceable.

(B) Nothing in this section may be construed to prohibit a homeowners association from requiring reasonable design accommodations to ensure that a solar energy system is installed in a manner that is consistent with the aesthetic requirements applicable to all homeowners association members.”

SECTION 2. This act takes effect upon approval by the Governor.

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