

# HOUSE BILL No. 5229

August 4, 2009, Introduced by Reps. Slavens, Geiss, Gregory, Kennedy and Liss and referred to the Committee on Energy and Technology.

A bill to provide for the promotion of ecologically sound improvements to residences; and to provide for the assertion of rights in these improvements with regard to homeowners' association agreements.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

3       Sec. 2. A residential homeowner may make an energy-saving  
4       improvement to his or her home. For all homeowners' association  
5       agreements entered into on and after the effective date of this  
6       act, a provision of the homeowners' association agreement that  
7       requires that the association approve or allow an energy-saving  
8       improvement by a residential homeowner who is a party to the  
9       agreement is unenforceable.

1       Sec. 3. On and after the effective date of this act, a county,  
2 city, village, or township shall not require the approval of a  
3 homeowners' association before a resident is allowed to implement  
4 an energy-saving improvement.

5       Sec. 4. As used in this act, "energy-saving improvement"  
6 includes, but is not limited to, all of the following:

7       (a) Use of clotheslines on the owner's property.

8       (b) Installation of solar panels.

9       (c) Use of windmills.

10       Sec. 5. Nothing in this act shall be construed to forbid a  
11 county, city, village, or township from implementing independent  
12 requirements that may forbid or limit a residential homeowner from  
13 installation of energy-saving improvements.