

Regular Session, 2010

HOUSE BILL NO. 751

BY REPRESENTATIVE FOIL

PROPERTY/RIGHTS: Provides for the right to install solar energy devices

1 AN ACT

2 To enact R.S. 9:1255, relative to the installation of solar collectors; to provide for
3 definitions; to provide for certain rights and prohibitions relative to the installation
4 of solar collectors; to provide for exceptions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:1255 is hereby enacted to read as follows:

7 §1255. Solar collectors; right of use

8 A. For purposes of this Section, "solar collector" means any device or
9 combination of elements which relies on sunlight as an energy source.

10 B. No person or entity shall unreasonably restrict the right of a property
11 owner to install or use a solar collector.

12 C. The provisions of this Section shall not supersede zoning restrictions,
13 servitudes as provided by Civil Code Article 697 et seq., or building restrictions, as
14 provided by Civil Code Article 775 et seq., which require approval prior to the
15 installation or use of solar collectors.

16 D. The provisions of this Section shall not apply to property or areas which
17 have been identified as historic districts, historical preservations or landmarks by any
18 historic preservation district commission, landmarks commission, or the planning or
19 zoning commission of a governing authority.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Foil

HB No. 751

Abstract: Prohibits the unreasonable restriction of the right of a property owner to install solar collectors.

Proposed law defines "solar collector" as any device or combination of elements which relies on sunlight as an energy source.

Proposed law prohibits any person or entity from unreasonably restricting the right of a property owner to install a solar collector.

Proposed law provides that the provisions of proposed law shall not supersede zoning restrictions, servitudes, or building restrictions which require approval prior to the installation or use of solar collectors.

Proposed law provides that the provisions of proposed law shall not apply to property or areas which have been identified as historic districts, historical preservations or landmarks by any historic preservation district commission, landmarks commission, or the planning or zoning commission of a governing authority.

(Adds R.S. 9:1255)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill.

1. Limited applicability relative to zoning restrictions, servitudes, building restriction, and certain historic property or areas.