

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1164 Session of 2024

INTRODUCED BY CAPPELLETTI, COLLETT, HAYWOOD, KANE, COMMITTA,
KEARNEY AND FONTANA, MAY 1, 2024

REFERRED TO URBAN AFFAIRS AND HOUSING, MAY 1, 2024

AN ACT

1 Amending Title 68 (Real and Personal Property) of the
2 Pennsylvania Consolidated Statutes, in management of the
3 condominium, providing for solar access; in management of
4 cooperatives, providing for solar access; and, in management
5 of planned community, providing for solar access.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Title 68 of the Pennsylvania Consolidated
9 Statutes is amended by adding sections to read:

10 § 3323. Solar access.

11 (a) General rule.--A unit owners' association shall be
12 prohibited from imposing any restriction that prohibits a person
13 who occupies a unit from solar access for drying clothes on a
14 clothesline or drying rack at the dwelling unit.

15 (b) Limitations.--Clotheslines or drying racks shall be
16 limited to backyard areas of a unit and out of view from the
17 front of the building and may not obstruct public access.

18 (c) Exception.--Notwithstanding subsection (a), a unit
19 owners' association may prohibit a clothesline or drying rack

1 that poses a safety or fire hazard or impedes proper evacuation
2 in the case of an emergency.

3 (d) Construction.--Nothing in this section shall be
4 construed to supersede the legal authority of a unit owners'
5 association to adopt and enforce any bylaw, rule or regulation
6 on any matter other than the provision of solar access
7 permitting the installation and use of a clothesline or drying
8 rack.

9 § 4324. Solar access.

10 (a) General rule.--An association shall be prohibited from
11 imposing any restriction that prohibits a proprietary lessee
12 with a possessory interest in a unit from solar access for
13 drying clothes on a clothesline on drying rack at the dwelling
14 unit.

15 (b) Limitations.--Clotheslines or drying racks shall be
16 limited to backyard areas of a unit and out of view from the
17 front of the building and may not obstruct public access.

18 (c) Exception.--Notwithstanding subsection (a), an
19 association may prohibit a clothesline or drying rack that poses
20 a safety or fire hazard or impedes proper evacuation in the case
21 of an emergency.

22 (d) Construction.--Nothing in this section shall be
23 construed to supersede the legal authority of the association to
24 adopt and enforce any bylaw, rule or regulation on any matter
25 other than the provision of solar access and permitting the
26 installation and use of a clothesline or drying rack.

27 § 5323. Solar access.

28 (a) General rule.--A unit owners' association shall be
29 prohibited from imposing any restriction that prohibits a person
30 who occupies a unit from solar access for drying clothes on a

1 clothesline or drying rack at the dwelling unit.

2 (b) Limitations.--Clotheslines or drying racks shall be
3 limited to backyard areas of a unit and out of view from the
4 front of the building and may not obstruct public access.

5 (c) Exception.--Notwithstanding subsection (a), a unit
6 owners' association may prohibit a clothesline or drying rack
7 that poses a safety or fire hazard or impedes proper evacuation
8 in the case of an emergency.

9 (d) Construction.--Nothing in this section shall be
10 construed to supersede the legal authority of the unit owners'
11 association to adopt and enforce any bylaw, rule or regulation
12 on any matter other than the provision of solar access
13 permitting the installation and use of a clothesline or drying
14 rack.

15 Section 2. This act shall take effect in 60 days.