



Sen. Rachel Ventura

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10400SB3104sam001

LRB104 18293 AAS 34737 a

1 AMENDMENT TO SENATE BILL 3104

2 AMENDMENT NO. _____. Amend Senate Bill 3104 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by changing
5 Section 5-46005 as follows:

6 (55 ILCS 5/5-46005)

7 (This Section may contain text from a Public Act with a
8 delayed effective date)

9 Sec. 5-46005. Definitions. As used in this Division:

10 "Low-voltage solar-powered device" means a piece of
11 equipment designed for a particular purpose, including, but
12 not limited to, doorbells, security systems, and illumination
13 equipment, powered by a solar collector operating at less than
14 50 volts, and located:

15 (1) entirely within the lot or parcel owned by the
16 property owner; or

1 (2) within a common area without being permanently
2 attached to common property.

3 "Solar collector" means:

4 (1) an assembly, structure, or design, including
5 passive elements, used for gathering, concentrating, or
6 absorbing direct and indirect solar energy and specially
7 designed for holding a substantial amount of useful
8 thermal energy and to transfer that energy to a gas,
9 solid, or liquid or to use that energy directly;

10 (2) a mechanism that absorbs solar energy and converts
11 it into electricity;

12 (3) a mechanism or process used for gathering solar
13 energy through wind or thermal gradients; or

14 (4) a component used to transfer thermal energy to a
15 gas, solid, or liquid, or to convert it into electricity.

16 "Solar energy" means radiant energy received from the sun
17 at wavelengths suitable for heat transfer, photosynthetic use,
18 or photovoltaic use.

19 "Solar energy system" means:

20 (1) a complete assembly, structure, or design of a
21 solar collector or a solar storage mechanism that uses
22 solar energy for generating electricity or for heating or
23 cooling gases, solids, liquids, or other materials; and

24 (2) the design, materials, or elements of a system and
25 its maintenance, operation, and labor components, and the
26 necessary components, if any, of supplemental conventional

1 energy systems designed or constructed to interface with a
2 solar energy system.

3 "Solar energy system" includes a plug-in solar energy
4 system, as defined in Section 16-107.5a of the Public
5 Utilities Act.

6 "Solar storage mechanism" means equipment or elements,
7 such as piping and transfer mechanisms, containers, heat
8 exchangers, batteries, or controls thereof and gases, solids,
9 liquids, or combinations thereof, that are utilized for
10 storing solar energy, gathered by a solar collector, for
11 subsequent use.

12 (Source: P.A. 104-458, eff. 6-1-26.)

13 Section 10. The Illinois Municipal Code is amended by
14 changing Section 11-15.5-5 as follows:

15 (65 ILCS 5/11-15.5-5)

16 (This Section may contain text from a Public Act with a
17 delayed effective date)

18 Sec. 11-15.5-5. Definitions. As used in this Division:

19 "Low-voltage solar-powered device" means a piece of
20 equipment designed for a particular purpose, including, but
21 not limited to, doorbells, security systems, and illumination
22 equipment, powered by a solar collector operating at less than
23 50 volts, and located:

24 (1) entirely within the lot or parcel owned by the

1 property owner; or

2 (2) within a common area without being permanently
3 attached to common property.

4 "Solar collector" means:

5 (1) an assembly, structure, or design, including
6 passive elements, used for gathering, concentrating, or
7 absorbing direct and indirect solar energy and specially
8 designed for holding a substantial amount of useful
9 thermal energy and to transfer that energy to a gas,
10 solid, or liquid or to use that energy directly;

11 (2) a mechanism that absorbs solar energy and converts
12 it into electricity;

13 (3) a mechanism or process used for gathering solar
14 energy through wind or thermal gradients; or

15 (4) a component used to transfer thermal energy to a
16 gas, solid, or liquid, or to convert it into electricity.

17 "Solar energy" means radiant energy received from the sun
18 at wavelengths suitable for heat transfer, photosynthetic use,
19 or photovoltaic use.

20 "Solar energy system" means:

21 (1) a complete assembly, structure, or design of a
22 solar collector or a solar storage mechanism that uses
23 solar energy for generating electricity or for heating or
24 cooling gases, solids, liquids, or other materials; and

25 (2) the design, materials, or elements of a system and
26 its maintenance, operation, and labor components, and the

1 necessary components, if any, of supplemental conventional
2 energy systems designed or constructed to interface with a
3 solar energy system.

4 "Solar energy system" includes a plug-in solar energy
5 system, as defined in Section 16-107.5a of the Public
6 Utilities Act.

7 "Solar storage mechanism" means equipment or elements,
8 such as piping and transfer mechanisms, containers, heat
9 exchangers, batteries, or controls thereof and gases, solids,
10 liquids, or combinations thereof, that are utilized for
11 storing solar energy, gathered by a solar collector, for
12 subsequent use.

13 (Source: P.A. 104-458, eff. 6-1-26.)

14 Section 15. The Public Utilities Act is amended by adding
15 Section 16-107.5a as follows:

16 (220 ILCS 5/16-107.5a new)

17 Sec. 16-107.5a. Plug-in solar energy system.

18 (a) As used in this Section:

19 "Electricity provider" has the meaning given to that term
20 in Section 16-107.5.

21 "Eligible customer" means a retail customer of an
22 electricity provider.

23 "Net electricity metering" has the meaning given to that
24 term in Section 16-107.5.

1 "Plug-in solar energy system" means a solar energy system,
2 as defined in Section 10 of the Homeowners' Energy Policy
3 Statement Act, that:

4 (1) may include an energy storage system;

5 (2) can export no more than 1,200 watts to a receiving
6 outlet;

7 (3) is designed to be connected to a building's
8 electrical system through an existing electrical outlet;

9 (4) is located on an exclusive-use balcony, patio,
10 yard, porch, or similar area;

11 (5) is intended primarily to offset part of an
12 eligible customer's electricity consumption;

13 (6) meets the standards of the most current edition of
14 the National Electrical Code that are applicable to
15 plug-in solar energy systems; and

16 (7) is certified by Underwriters Laboratories or an
17 equivalent nationally recognized testing laboratory.

18 (b) An electricity provider shall not require an eligible
19 customer who uses, or intends to install and use, a plug-in
20 solar energy system to do any of the following:

21 (1) obtain the electricity provider's approval before
22 installing or using the plug-in solar energy system;

23 (2) pay a fee or charge related to the installation or
24 use of the plug-in solar energy system; or

25 (3) install additional controls or equipment on the
26 plug-in solar energy system beyond those specified in the

1 definition of "plug-in solar energy system" under
2 subsection (a).

3 (c) An eligible customer may, but shall not be required
4 to, conform the eligible customer's plug-in solar energy
5 system to the interconnection requirements under Section
6 16-107.5 and any rules adopted by the Commission pursuant to
7 Section 16-107.5. A plug-in solar energy system that does not
8 interconnect to the electrical system in a manner that is
9 consistent with the applicable rules adopted by the Commission
10 pursuant to Section 16-107.5 shall not be eligible for net
11 electricity metering under Section 16-107.5.

12 (d) A plug-in solar energy system shall not qualify for
13 any rebate under Section 16-107.6.

14 (e) An electricity provider shall not be liable for any
15 damage or injury caused by an eligible customer's plug-in
16 solar energy system.

17 (f) Homeowners' associations, common interest community
18 associations, and condominium unit owners' associations shall
19 not adopt or enforce any covenant, bylaw, regulation, or other
20 rule that unreasonably restricts or prohibits, or has the
21 effect of prohibiting, the installation or use of a plug-in
22 solar energy system that has a maximum power output to a
23 receptacle outlet of 391 watts or less. This subsection (f)
24 applies only to contracts, covenants, bylaws, rules, or other
25 governing documents created, entered into, renewed, or amended
26 on or after the effective date of this amendatory Act of the

1 104th General Assembly. Homeowners' associations, common
2 interest community associations, and condominium unit owners'
3 associations that are exempt from the Homeowners' Energy
4 Policy Statement Act under paragraph (2) of Section 45 of the
5 Homeowners' Energy Policy Statement Act are exempt from the
6 requirements of this subsection (f).

7 (g) Landlords shall not adopt or enforce any lease or
8 contract that unreasonably restricts or prohibits, or has the
9 effect of prohibiting, the installation or use of a plug-in
10 solar energy system that has a maximum power output to a
11 receptacle outlet of 391 watts or less. This subsection (g)
12 applies only to contracts, leases, or other governing
13 documents created, entered into, renewed, or amended on or
14 after the effective date of this amendatory Act of the 104th
15 General Assembly.

16 (h) A plug-in solar energy system that has a maximum power
17 output to a receptacle outlet of 391 watts or less is exempt
18 from any building safety code provisions or any product
19 listing standard provisions that would require alterations to
20 a building's premises, wiring, or electrical panels. A plug-in
21 solar energy system with a maximum output to a receptacle
22 outlet of 391 watts or less is not exempt from certification by
23 Underwriters Laboratories or an equivalent nationally
24 recognized testing laboratory.

25 (i) The installation of a plug-in solar energy system that
26 has a maximum output to a receptacle outlet of more than 391

1 watts is prohibited until the National Fire Protection
2 Association adopts a standard in the National Electrical Code
3 that is applicable to plug-in solar energy systems that have a
4 maximum output to a receptacle outlet of more than 391 watts.

5 Section 20. The Homeowners' Energy Policy Statement Act is
6 amended by changing Section 10 as follows:

7 (765 ILCS 165/10)

8 Sec. 10. Definitions. In this Act:

9 "Solar energy" means radiant energy received from the sun
10 at wave lengths suitable for heat transfer, photosynthetic
11 use, or photovoltaic use.

12 "Solar collector" means:

13 (1) an assembly, structure, or design, including
14 passive elements, used for gathering, concentrating, or
15 absorbing direct and indirect solar energy, specially
16 designed for holding a substantial amount of useful
17 thermal energy and to transfer that energy to a gas,
18 solid, or liquid or to use that energy directly; or

19 (2) a mechanism that absorbs solar energy and converts
20 it into electricity; or

21 (3) a mechanism or process used for gathering solar
22 energy through wind or thermal gradients; or

23 (4) a component used to transfer thermal energy to a
24 gas, solid, or liquid, or to convert it into electricity.

1 "Solar storage mechanism" means equipment or elements
2 (such as piping and transfer mechanisms, containers, heat
3 exchangers, batteries, or controls thereof, and gases, solids,
4 liquids, or combinations thereof) that are utilized for
5 storing solar energy, gathered by a solar collector, for
6 subsequent use.

7 "Solar energy system" means:

8 (1) a complete assembly, structure, or design of solar
9 collector, or a solar storage mechanism, which uses solar
10 energy for generating electricity or for heating or
11 cooling gases, solids, liquids, or other materials; and

12 (2) the design, materials, or elements of a system and
13 its maintenance, operation, and labor components, and the
14 necessary components, if any, of supplemental conventional
15 energy systems designed or constructed to interface with a
16 solar energy system.

17 "Solar energy system" includes a plug-in solar energy
18 system, as defined in Section 16-107.5a of the Public
19 Utilities Act.

20 (Source: P.A. 102-161, eff. 7-26-21.)

21 Section 25. The Consumer Fraud and Deceptive Business
22 Practices Act is amended by adding Section 2MMMM as follows:

23 (815 ILCS 505/2MMMM new)

24 Sec. 2MMMM. Plug-in solar energy system labeling.

1 (a) No person shall sell, attempt to sell, or offer to sell
2 to a consumer in this State a plug-in solar energy system that
3 is manufactured on or after January 1, 2027 unless a label is
4 placed on the plug-in solar energy system that contains the
5 following statement: "WARNING: plug-in solar energy systems
6 can overload circuits and damage electrical wiring if the
7 output of the plug-in solar energy system exceeds circuit
8 amperage capacity. Overloaded or damaged circuits and
9 electrical wiring can lead to electrical fires. Plug-in solar
10 energy systems should never be used without first verifying
11 that the output of the plug-in solar energy system does not
12 exceed circuit amperage capacity.".

13 (b) The label required under subsection (a) shall be
14 attached to a plug-in solar energy system in a conspicuous
15 location. The label must be in a type size that is clearly
16 visible and that is no smaller than the largest type size used
17 for other consumer information on the plug-in solar energy
18 system.

19 (c) The Attorney General may adopt rules setting forth
20 additional requirements for the placement and formatting of
21 the label required under subsection (a).

22 (d) A violation of this Section constitutes an unlawful
23 practice within the meaning of this Act.".