



Sen. Rachel Ventura

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10400SB3104sam002

LRB104 18293 AAS 35099 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) A plug-in solar energy system is exempt from  
4 interconnection requirements under Section 16-107.5 and any  
5 rules adopted by the Commission pursuant to Section 16-107.5.  
6 A plug-in solar energy system is not eligible for net  
7 electricity metering under Section 16-107.5 or any rebate  
8 under Section 16-107.6.

9 (d) Within 30 days after the installation of a portable  
10 solar generation device, the owner of the portable solar  
11 generation device shall notify the electricity provider that  
12 serves the building in which the portable solar generation  
13 device was installed of the installation. Within 30 days after  
14 the effective date of this amendatory Act of the 104th General  
15 Assembly, every electricity provider shall develop and make  
16 available on the electricity provider's website a simple  
17 notification form, which shall require only the following  
18 information:

19 (1) the customer's name and contact information;

20 (2) the service address and utility account number  
21 associated with the address at which the portable solar  
22 generation device was installed;

23 (3) the portable solar generation device's make and  
24 model; and

25 (4) the portable solar generation device's rated size.

26 (e) An electricity provider shall not be solely liable for

1 any damage or injury caused by an eligible customer's plug-in  
2 solar energy system.

3 (f) Homeowners' associations, common interest community  
4 associations, and condominium unit owners' associations shall  
5 not adopt or enforce any covenant, bylaw, regulation, or other  
6 rule that unreasonably restricts or prohibits, or has the  
7 effect of prohibiting, the installation or use of a plug-in  
8 solar energy system. This subsection (f) applies only to  
9 contracts, covenants, bylaws, rules, or other governing  
10 documents created, entered into, renewed, or amended on or  
11 after the effective date of this amendatory Act of the 104th  
12 General Assembly. Homeowners' associations, common interest  
13 community associations, and condominium unit owners'  
14 associations that are exempt from the Homeowners' Energy  
15 Policy Statement Act under paragraph (2) of Section 45 of the  
16 Homeowners' Energy Policy Statement Act are exempt from the  
17 requirements of this subsection (f).

18 (g) Landlords shall not adopt or enforce any lease or  
19 contract that unreasonably restricts or prohibits, or has the  
20 effect of prohibiting, the installation or use of a plug-in  
21 solar energy system. This subsection (g) applies only to  
22 contracts, leases, or other governing documents created,  
23 entered into, renewed, or amended on or after the effective  
24 date of this amendatory Act of the 104th General Assembly.

25 (h) A plug-in solar energy system that has a maximum power  
26 output to a receptacle outlet of 391 watts or less is exempt

1 from any building safety code provisions or any product  
2 listing standard provisions that would require alterations to  
3 a building's premises, wiring, or electrical panels. A plug-in  
4 solar energy system with a maximum output to a receptacle  
5 outlet of 391 watts or less is not exempt from certification by  
6 Underwriters Laboratories or an equivalent nationally  
7 recognized testing laboratory.

8 (i) The installation of a plug-in solar energy system that  
9 has a maximum output to a receptacle outlet of more than 391  
10 watts is prohibited until the National Fire Protection  
11 Association adopts a standard in the National Electrical Code  
12 that is applicable to plug-in solar energy systems that have a  
13 maximum output to a receptacle outlet of more than 391 watts.

14 (j) In order to comply with this Section, any plug-in  
15 solar energy system must be certified by Underwriters  
16 Laboratories or an equivalent nationally recognized testing  
17 laboratory.

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

20 (765 ILCS 165/10)

21 Sec. 10. Definitions. In this Act:

22 "Solar energy" means radiant energy received from the sun  
23 at wave lengths suitable for heat transfer, photosynthetic  
24 use, or photovoltaic use.

1 "Solar collector" means:

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

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

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

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

14 "Solar storage mechanism" means equipment or elements  
15 (such as piping and transfer mechanisms, containers, heat  
16 exchangers, batteries, or controls thereof, and gases, solids,  
17 liquids, or combinations thereof) that are utilized for  
18 storing solar energy, gathered by a solar collector, for  
19 subsequent use.

20 "Solar energy system" means:

21 (1) a complete assembly, structure, or design of solar  
22 collector, or a solar storage mechanism, which uses solar  
23 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 (Source: P.A. 102-161, eff. 7-26-21.)

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

10 (815 ILCS 505/2MMMM new)

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

12 (a) No person shall sell, attempt to sell, or offer to sell  
13 to a consumer in this State a plug-in solar energy system that  
14 is manufactured on or after January 1, 2027 unless a label is  
15 placed on the plug-in solar energy system that contains the  
16 following statement: "WARNING: plug-in solar energy systems  
17 can overload circuits and damage electrical wiring if the  
18 output of the plug-in solar energy system exceeds circuit  
19 amperage capacity. Overloaded or damaged circuits and  
20 electrical wiring can lead to electrical fires. Plug-in solar  
21 energy systems should never be used without first verifying  
22 that the output of the plug-in solar energy system does not  
23 exceed circuit amperage capacity."

24 (b) The label required under subsection (a) shall be

1 attached to a plug-in solar energy system in a conspicuous  
2 location. The label must be in a type size that is clearly  
3 visible and that is no smaller than the largest type size used  
4 for other consumer information on the plug-in solar energy  
5 system.

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

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