



Sen. Rachel Ventura

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10400SB3104sam006

LRB104 18293 AAS 37108 a

1 AMENDMENT TO SENATE BILL 3104

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

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

7 (55 ILCS 5/5-46005)

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

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

11 "Low-voltage solar-powered device" means a piece of
12 equipment designed for a particular purpose, including, but
13 not limited to, doorbells, security systems, and illumination
14 equipment, powered by a solar collector operating at less than
15 50 volts, and located:

16 (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 10. The Illinois Municipal Code is amended by
15 changing Section 11-15.5-5 as follows:

16 (65 ILCS 5/11-15.5-5)

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

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

20 "Low-voltage solar-powered device" means a piece of
21 equipment designed for a particular purpose, including, but
22 not limited to, doorbells, security systems, and illumination
23 equipment, powered by a solar collector operating at less than
24 50 volts, and located:

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

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

5 "Solar collector" means:

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

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

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

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

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

21 "Solar energy system" means:

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

26 (2) the design, materials, or elements of a system and

1 its maintenance, operation, and labor components, and the
2 necessary components, if any, of supplemental conventional
3 energy systems designed or constructed to interface with a
4 solar energy system.

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

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

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

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

17 (220 ILCS 5/16-107.5a new)

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

19 (a) As used in this Section:

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

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

24 "Net electricity metering" has the meaning given to that

1 term in Section 16-107.5.

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

5 (1) may include a battery pack that is certified as
6 part of a UL3700 system or has equivalent certification by
7 UL Solutions or an equivalent nationally recognized
8 testing laboratory;

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

11 (3) is designed to be connected to a building's
12 electrical system through an electrical outlet receptacle;

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

15 (5) is intended primarily to offset part of an
16 eligible customer's electricity consumption; and

17 (6) is certified to UL 3700 or an equivalent
18 certification for plug-in solar energy systems by either
19 UL Solutions or an equivalent nationally recognized
20 testing laboratory.

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

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

26 (2) pay a fee or charge related to the installation or

1 use of the plug-in solar energy system; or

2 (3) install additional controls or equipment on the
3 plug-in solar energy system beyond those specified in the
4 definition of "plug-in solar energy system" under
5 subsection (a).

6 (c) A plug-in solar energy system is exempt from
7 interconnection requirements under Section 16-107.5 and any
8 rules adopted by the Commission pursuant to Section 16-107.5.
9 A plug-in solar energy system is not eligible for net
10 electricity metering under Section 16-107.5 or any rebate
11 under Section 16-107.6.

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

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

23 (2) the service address and utility account number
24 associated with the address at which the plug-in solar
25 energy system was installed;

26 (3) the plug-in solar energy system's make and model;

1 and

2 (4) the plug-in solar energy system's rated size.

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

6 (f) Multifamily property owners and operators shall not be
7 liable for any damage or injury caused solely by an eligible
8 customer's plug-in solar energy system.

9 (g) Homeowners' associations, common interest community
10 associations, and condominium unit owners' associations shall
11 not adopt or enforce any covenant, bylaw, regulation, or other
12 rule that unreasonably restricts or prohibits, or has the
13 effect of prohibiting, the installation or use of a plug-in
14 solar energy system. This subsection (g) does not apply to
15 preexisting contracts, covenants, bylaws, rules, or other
16 governing documents renewed on or after the effective date of
17 this amendatory Act of the 104th General Assembly. This
18 subsection (g) does not apply to preexisting contracts,
19 covenants, bylaws, rules, or other governing documents amended
20 and executed on or after the effective date of this amendatory
21 Act of the 104th General Assembly and before July 1, 2031.
22 Homeowners' associations, common interest community
23 associations, and condominium unit owners' associations may
24 prohibit the installation or use of a plug-in solar energy
25 system in or on common areas or common elements of a building.

26 (h) Landlords shall not adopt or enforce any lease or

1 contract that unreasonably restricts or prohibits, or has the
2 effect of prohibiting, the installation or use of a plug-in
3 solar energy system. This subsection (h) does not prohibit
4 landlords from adopting or enforcing leases or contracts with
5 reasonable safety provisions for a plug-in solar energy
6 system, including, but not limited to, reasonable mounting
7 requirements for the plug-in solar energy system. This
8 subsection (h) applies only to contracts, leases, or other
9 governing documents created, entered into, renewed, or amended
10 on or after the effective date of this amendatory Act of the
11 104th General Assembly.

12 (i) Until the National Electrical Code adopts requirements
13 for premises wiring that are applicable to plug-in solar
14 energy systems, the installation of a plug-in solar energy
15 system that has a maximum output to a receptacle outlet of more
16 than 391 watts is prohibited.

17 (j) In order to comply with this Section, any plug-in
18 solar energy system must be certified to UL 3700 or an
19 equivalent certification for plug-in solar energy systems by
20 either UL Solutions or an equivalent nationally recognized
21 testing laboratory.

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

24 (765 ILCS 165/10)

1 Sec. 10. Definitions. In this Act:

2 "Solar energy" means radiant energy received from the sun
3 at wave lengths suitable for heat transfer, photosynthetic
4 use, or photovoltaic use.

5 "Solar collector" means:

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

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

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

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

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

24 "Solar energy system" means:

25 (1) a complete assembly, structure, or design of solar
26 collector, or a solar storage mechanism, which uses solar

1 energy for generating electricity or for heating or
2 cooling gases, solids, liquids, or other materials; and

3 (2) the design, materials, or elements of a system and
4 its maintenance, operation, and labor components, and the
5 necessary components, if any, of supplemental conventional
6 energy systems designed or constructed to interface with a
7 solar energy system.

8 "Solar energy system" includes a plug-in solar energy
9 system, as defined in Section 16-107.5a of the Public
10 Utilities Act.

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

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

14 (815 ILCS 505/2MMMM new)

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

16 (a) No person shall sell, attempt to sell, or offer to sell
17 to a consumer in this State a plug-in solar energy system that
18 is manufactured on or after January 1, 2027 unless a label is
19 placed on the plug-in solar energy system that contains the
20 following statement: "WARNING: plug-in solar energy systems
21 can overload circuits and damage electrical wiring if the
22 output of the plug-in solar energy system exceeds circuit
23 amperage capacity. Overloaded or damaged circuits and
24 electrical wiring can lead to electrical fires. Plug-in solar

1 energy systems should never be used without first verifying
2 that the output of the plug-in solar energy system does not
3 exceed circuit amperage capacity.".

4 (b) The label required under subsection (a) shall be
5 attached to a plug-in solar energy system in a conspicuous
6 location. The label must be in a type size that is clearly
7 visible and that is no smaller than the largest type size used
8 for other consumer information on the plug-in solar energy
9 system.

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

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