Sen. Rachel Ventura

Filed: 4/24/2026

AMENDMENT TO SENATE BILL 3104

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

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

(55 ILCS 5/5-46005)

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

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

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

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

property owner; or

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

"Solar collector" means:

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

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

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

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

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

"Solar energy system" means:

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

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

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

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

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

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

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

(65 ILCS 5/11-15.5-5)

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

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

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

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

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

"Solar collector" means:

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

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

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

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

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

"Solar energy system" means:

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

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

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

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

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

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

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

(220 ILCS 5/16-107.5a new)

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

(a) As used in this Section:

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

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

"Net electricity metering" has the meaning given to that

term in Section 16-107.5.

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

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

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

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

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

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

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

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

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

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

use of the plug-in solar energy system; or

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

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

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

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

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

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

and

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

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

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

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

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

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

(i) Until the National Electrical Code adopts requirements for premises wiring that are applicable to plug-in solar energy systems, the installation of a plug-in solar energy system is prohibited.

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

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

(765 ILCS 165/10)

Sec. 10. Definitions. In this Act:

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

"Solar collector" means:

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

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

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

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

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

"Solar energy system" means:

(1) a complete assembly, structure, or design of solar collector, or a solar storage mechanism, which uses solar energy for generating electricity or for heating or

cooling gases, solids, liquids, or other materials; and

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

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

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

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

(815 ILCS 505/2MMMM new)

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

(a) No person shall sell, attempt to sell, or offer to sell to a consumer in this State a plug-in solar energy system that is manufactured on or after January 1, 2027 unless a label is placed on the plug-in solar energy system that contains the following statement: "WARNING: plug-in solar energy systems can overload circuits and damage electrical wiring if the output of the plug-in solar energy system exceeds circuit amperage capacity. Overloaded or damaged circuits and electrical wiring can lead to electrical fires. Plug-in solar energy systems should never be used without first verifying

that the output of the plug-in solar energy system does not exceed circuit amperage capacity.".

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

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

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