



Sen. Rachel Ventura

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10400SB3104sam007

LRB104 18293 AAS 37127 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 is prohibited.

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

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

23 (765 ILCS 165/10)

24 Sec. 10. Definitions. In this Act:

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

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, 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; or

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

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

23 "Solar energy system" means:

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

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

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

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

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

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

13 (815 ILCS 505/2MMMM new)

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

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

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

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

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

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