

SB3794



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3794

Introduced 2/5/2026, by Sen. Javier L. Cervantes

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-46005
55 ILCS 5/5-46025
55 ILCS 5/5-46030 new
65 ILCS 5/11-15.5-5
65 ILCS 5/11-15.5-25
65 ILCS 5/11-15.5-30 new

Amends the Counties Code and the Illinois Municipal Code. Provides that a county or a municipality may not adopt or enforce an ordinance, rule, or other measure that would regulate the installation or inspection of a residential energy backup system, including on a building with a shared roof. Defines "residential energy backup system". Effective June 1, 2026.

LRB104 19680 RTM 33129 b

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Residential Storage Act.

6 Section 2. Legislative intent. The purpose of this Act is
7 to provide reliable energy at low cost to the People of
8 Illinois, strengthen the electric grid, and promote the use of
9 renewable energy resources by facilitating the deployment of
10 residential energy storage systems.

11 Section 5. The Counties Code is amended by changing
12 Sections 5-46005 and 5-46025 and by adding Section 5-46030 as
13 follows:

14 (55 ILCS 5/5-46005)

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

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

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

1 50 volts, and located:

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

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

6 "Residential energy backup system" means a backup energy
7 system installed at a residential property that is capable of
8 providing no more than 50 kilowatts of electricity to the
9 residence or has a storage capacity of no more than 200
10 kilowatt hours. "Residential energy backup system" includes
11 all associated infrastructure, equipment, and components of
12 the system, up to and including any hardware that interfaces
13 with the point of interconnection to the broader electric
14 utility system.

15 "Solar collector" means:

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

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

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

26 (4) a component used to transfer thermal energy to a

1 gas, solid, or liquid, or to convert it into electricity.

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

5 "Solar energy system" means:

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

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

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

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

22 (55 ILCS 5/5-46025)

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

25 Sec. 5-46025. Applicability.

1 (a) As used in this Section, "shared roof" means any roof
2 that (i) serves more than one unit, including, but not limited
3 to, a contiguous roof serving adjacent units, or (ii) is part
4 of the common elements or common area of a unit.

5 (b) Except as provided in subsection (d), this ~~This~~
6 Division shall not apply to any building that:

7 (1) is greater than 60 feet in height; or

8 (2) has a shared roof.

9 (c) Notwithstanding subsection (b) of this Section, this
10 Division shall apply to any building with a shared roof:

11 (1) where the solar energy system is located entirely
12 within that portion of the shared roof that is owned and
13 maintained by the property owner;

14 (2) where all property owners sharing the shared roof
15 are in agreement to install a solar energy system; or

16 (3) to the extent this Division applies to low-voltage
17 solar-powered devices.

18 (d) The provisions of Section 5-46030 shall apply to any
19 building with a dedicated electrical connection to a utility
20 or a dedicated electrical meter, including a building with a
21 shared roof.

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

23 (55 ILCS 5/5-46030 new)

24 Sec. 5-46030. Residential energy backup systems.

25 Notwithstanding any other law, a county may not adopt or

1 enforce an ordinance, rule, or other measure that would
2 regulate the installation or inspection of a residential
3 energy backup system.

4 Section 10. The Illinois Municipal Code is amended by
5 changing Sections 11-15.5-5 and 11-15.5-25 and by adding
6 Section 11-15.5-30 as follows:

7 (65 ILCS 5/11-15.5-5)

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

10 Sec. 11-15.5-5. 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
17 property owner; or

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

20 "Residential energy backup system" means a backup energy
21 system installed at a residential property that is capable of
22 providing no more than 50 kilowatts of electricity to the
23 residence or has a storage capacity of no more than 200
24 kilowatt hours. "Residential energy backup system" includes

1 all associated infrastructure, equipment, and components of
2 the system, up to and including any hardware that interfaces
3 with the point of interconnection to the broader electric
4 utility system.

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

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

12 (65 ILCS 5/11-15.5-25)

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

15 Sec. 11-15.5-25. Applicability.

16 (a) As used in this Section, "shared roof" means any roof
17 that (i) serves more than one unit, including, but not limited
18 to, a contiguous roof serving adjacent units, or (ii) is part
19 of the common elements or common area of a unit.

20 (b) Except as provided in subsection (d), this ~~This~~
21 Division shall not apply to any building that:

22 (1) is greater than 60 feet in height; or

23 (2) has a shared roof.

24 (c) Notwithstanding subsection (b) of this Section, this
25 Division shall apply to any building with a shared roof:

1 (1) where the solar energy system is located entirely
2 within that portion of the shared roof owned and
3 maintained by the property owner;

4 (2) where all property owners sharing the shared roof
5 are in agreement to install a solar energy system; or

6 (3) to the extent this Division applies to low-voltage
7 solar-powered devices.

8 (d) The provisions of Section 11-15.5-30 shall apply to
9 any building with a dedicated electrical connection to a
10 utility or a dedicated electrical meter, including a building
11 with a shared roof.

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

13 (65 ILCS 5/11-15.5-30 new)

14 Sec. 11-15.5-30. Residential energy backup systems.
15 Notwithstanding any other law, a municipality may not adopt or
16 enforce an ordinance, rule, or other measure that would
17 regulate the installation or inspection of a residential
18 energy backup system.

19 Section 99. Effective date. This Act takes effect on the
20 effective on June 1, 2026.