



Sen. Javier L. Cervantes

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10400SB3794sam001

LRB104 19680 TRT 36622 a

1 AMENDMENT TO SENATE BILL 3794

2 AMENDMENT NO. _____. Amend Senate Bill 3794 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be referred to 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)

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

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

4 "Low-voltage solar-powered device" means a piece of
5 equipment designed for a particular purpose, including, but
6 not limited to, doorbells, security systems, and illumination
7 equipment, powered by a solar collector operating at less than
8 50 volts, and located:

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

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

13 "Qualified inspector" means (1) any entity or individual
14 registered by any jurisdiction in this State as an electrical
15 contractor under Section 11-33-1 of the Illinois Municipal
16 Code; (2) any licensed professional engineer or an entity that
17 employs a licensed professional engineer if the installation
18 is inspected under the direction of a licensed professional
19 engineer; (3) an individual employed or previously employed as
20 an electrical inspector for any county, municipality, or the
21 Illinois Commerce Commission; or (4) an individual registered
22 as a supervising electrician in any jurisdiction in this State
23 and the entity employing the supervising electrician if that
24 entity participates in an apprentice program registered with
25 the Office of Apprenticeship of the United States Department
26 of Labor or with the Illinois Department of Labor and the

1 installation is inspected under the direction of the
2 supervising electrician. To qualify as a qualified inspector,
3 any entity or individual must be covered by general liability
4 insurance of at least \$100,000 per occurrence and \$300,000 in
5 the aggregate unless the inspection being performed is on
6 behalf of a governmental entity. A qualified inspector may not
7 be employed by the entity that performed the work inspected by
8 the qualified inspector.

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

18 "Solar collector" means:

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

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

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

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

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

8 "Solar energy system" means:

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

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

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

25 (55 ILCS 5/5-46025)

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

3 Sec. 5-46025. Applicability.

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

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

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

11 (2) has a shared roof.

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

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

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

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

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

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

1 (55 ILCS 5/5-46030 new)

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

3 (a) All residential energy backup systems installed in the
4 county shall be:

5 (1) installed by licensed electrical contractors, if
6 the corporate authorities of the municipality require the
7 registration of electrical contractors under Section
8 11-33-1 of the Illinois Municipal Code;

9 (2) installed in compliance with the 2026 version of
10 the National Electrical Code (NFPA 70) or a successor
11 version of that Code if the Department of Financial and
12 Professional Regulation adopts such a successor version;
13 and

14 (3) inspected in accordance with subsection (b).

15 (b) Within 10 business days after a completed installation
16 of a residential energy backup system, a qualified inspector
17 shall certify that the residential energy backup system is
18 installed in compliance with subsection (a). The installer of
19 a system shall maintain a record of certification of
20 compliance. A certification of compliance by a qualified
21 inspector satisfies all required inspections or certifications
22 of residential energy backup systems.

23 (1) If a residential energy backup system is not
24 certified as compliant within 10 business days after
25 completed installation, the installer of the system shall
26 disconnect the system from any energized electrical lines

1 until the system is certified as compliant.

2 (2) If a judgment is made by a court that a residential
3 energy backup system was installed in violation of any
4 requirement of subsection (a) not remedied prior to
5 certification by a qualified inspector, the installer of
6 the system may be fined up to \$1,000 for each installation
7 adjudicated to have violated subsection (a). The
8 administrative fine described in this paragraph is the
9 exclusive penalty for a violation of the requirements
10 described in this Section and may be enforced only by the
11 Department of Financial and Professional Regulation.

12 (c) A qualified inspector not acting on behalf of a
13 governmental entity shall be jointly and severally liable
14 along with the installer of a residential energy backup system
15 for any damage resulting from a system certified as compliant
16 in accordance with subsection (a) that is later adjudicated to
17 have been noncompliant at the time of certification, to the
18 extent such damage results directly from the system's
19 noncompliance with subsection (a).

20 (d) The regulation of the installation or inspection of
21 residential energy backup systems is an exclusive power and
22 function of the State. A home rule unit may not regulate the
23 installation and inspection of residential energy backup
24 systems. This Section is a denial and limitation of home rule
25 powers and functions under subsection (h) of Section 6 of
26 Article VII of the Illinois Constitution.

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

4 (65 ILCS 5/11-15.5-5)

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

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

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

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

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

17 "Qualified inspector" means (1) any entity or individual
18 registered by any jurisdiction in this State as an electrical
19 contractor under Section 11-33-1 of the Illinois Municipal
20 Code; (2) any licensed professional engineer or entity that
21 employs a licensed professional engineer if the installation
22 is inspected under the direction of licensed professional
23 engineer; (3) an individual employed or previously employed as
24 an electrical inspector for any county, municipality, or the

1 Illinois Commerce Commission; or (4) an individual registered
2 as a supervising electrician in any jurisdiction in this State
3 and the entity employing the supervising electrician if that
4 entity participates in an apprentice program registered with
5 the Office of Apprenticeship of the United States Department
6 of Labor or with the Illinois Department of Labor and the
7 installation is inspected under the direction of the
8 supervising electrician. To qualify as a qualified inspector,
9 any entity or individual must be covered by general liability
10 insurance of at least \$100,000 per occurrence and \$300,000 in
11 the aggregate unless the inspection being performed is on
12 behalf of a governmental entity. A qualified inspector may not
13 be employed by the entity that performed the work inspected by
14 the qualified inspector.

15 "Residential energy backup system" means a backup energy
16 system that is installed at a residential property and that is
17 capable of providing no more than 50 kilowatts of electricity
18 to the residence or has a storage capacity of no more than 200
19 kilowatt hours. "Residential energy backup system" includes
20 all associated infrastructure, equipment, and components of
21 the system, up to and including any hardware that interfaces
22 with the point of interconnection to the broader electric
23 utility system.

24 "Solar collector" means:

25 (1) an assembly, structure, or design, including
26 passive elements, used for gathering, concentrating, or

1 absorbing direct and indirect solar energy and specially
2 designed for holding a substantial amount of useful
3 thermal energy and to transfer that energy to a gas,
4 solid, or liquid or to use that energy directly;

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

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

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

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

14 "Solar energy system" means:

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

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

24 "Solar storage mechanism" means equipment or elements,
25 such as piping and transfer mechanisms, containers, heat
26 exchangers, batteries, or controls thereof and gases, solids,

1 liquids, or combinations thereof, that are utilized for
2 storing solar energy, gathered by a solar collector, for
3 subsequent use.

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

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

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

8 Sec. 11-15.5-25. Applicability.

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

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

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

16 (2) has a shared roof.

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

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

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

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

1 (d) The provisions of Section 11-15.5-30 apply to any
2 building with a dedicated electrical connection to a utility
3 or a dedicated electrical meter, including a building with a
4 shared roof.

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

6 (65 ILCS 5/11-15.5-30 new)

7 Sec. 11-15.5-30. Residential energy backup systems.

8 (a) All residential energy backup systems installed in the
9 municipality shall be:

10 (1) installed by licensed electrical contractors, if
11 the corporate authorities of the municipality require the
12 registration of electrical contractors under Section
13 11-33-1 of the Code;

14 (2) installed in compliance with the 2026 version of
15 the National Electrical Code (NFPA 70) or a successor
16 version of that Code if the Department of Financial and
17 Professional Regulation adopts such a successor version;
18 and

19 (3) inspected in accordance with subsection (b).

20 (b) Within 10 business days after a completed installation
21 of a residential energy backup system, a qualified inspector
22 shall certify that the residential energy backup system is
23 installed in compliance with subsection (a). The installer of
24 a system shall maintain a record of certification of
25 compliance. A certification of compliance by a qualified

1 inspector satisfies all required inspections or certifications
2 of residential energy backup systems.

3 (1) If a residential energy backup system is not
4 certified as compliant within 10 business days after
5 completed installation, the installer of the system shall
6 disconnect the system from any energized electrical lines
7 until the system is certified as compliant.

8 (2) If a judgment is made by a court that a residential
9 energy backup system was installed in violation of any
10 requirement of subsection (a) and not remedied prior to
11 certification by a qualified inspector, the installer of
12 the system may be fined up to \$1,000 for each installation
13 adjudicated to have violated subsection (a). The
14 administrative fine described in this paragraph is the
15 exclusive penalty for a violation of the requirements
16 described in this Section and may be enforced only by the
17 Department of Financial and Professional Regulation.

18 (c) A qualified inspector not acting on behalf of a
19 governmental entity shall be jointly and severally liable
20 along with the installer of a residential energy backup system
21 for any damage resulting from a system certified as compliant
22 in accordance with subsection (a) that is later adjudicated to
23 have been noncompliant at the time of certification, to the
24 extent such damage results directly from the system's
25 noncompliance with subsection (a).

26 (d) The regulation of the installation and inspection of

1 residential energy backup systems is an exclusive power and
2 function of the State. A home rule unit may not regulate the
3 installation and inspection of residential energy backup
4 systems. This Section is a denial and limitation of home rule
5 powers and functions under subsection (h) of Section 6 of
6 Article VII of the Illinois Constitution.

7 (e) Municipalities that own local electric distribution
8 systems may adopt and implement reasonable policies consistent
9 with Section 17-900 of the Public Utilities Act, regarding the
10 interconnection and use of residential energy backup systems.

11 Section 95. No acceleration or delay. Where this Act makes
12 changes in a statute that is represented in this Act by text
13 that is not yet or no longer in effect (for example, a Section
14 represented by multiple versions), the use of that text does
15 not accelerate or delay the taking effect of (i) the changes
16 made by this Act or (ii) provisions derived from any other
17 Public Act.

18 Section 99. Effective date. This Act takes effect on June
19 1, 2026."