



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5315

Introduced 2/9/2024, by Rep. Daniel Didech

SYNOPSIS AS INTRODUCED:

765 ILCS 165/10
765 ILCS 165/15
765 ILCS 165/45

Amends the Homeowner's Energy Policy Statement Act. Defines "video doorbell" as an Internet-enabled doorbell, equipped with a camera or microphone, or both, that: (1) sends a notification to the smartphone, computer, or similar Internet-enabled mobile device of a user when a guest arrives at the entrance of the door; (2) is activated when the guest presses the button of the doorbell, is activated when the doorbell senses a guest with its built-in monitor sensors, or is activated remotely by the user of the doorbell through the user's smartphone, computer, or similar Internet-enabled mobile device; and (3) allows the user using the smartphone, computer, or similar Internet-enabled mobile device to watch and talk with the guest by using the doorbell's built-in camera and microphone. Prohibits the adoption of a bylaw or exercise of any power by the governing entity of a homeowners' association, common interest community association, or condominium unit owners' association that prohibits or has the effect of prohibiting the installation of a solar energy system installed for the primary purpose of providing solar energy to a video doorbell. Provides that the Act applies to any solar energy system installed for the primary purpose of providing solar energy to a video doorbell.

LRB103 34870 LNS 64732 b

1 AN ACT concerning civil law.

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

4 Section 5. The Homeowners' Energy Policy Statement Act is
5 amended by changing Sections 10, 15, and 45 as follows:

6 (765 ILCS 165/10)

7 Sec. 10. Definitions. In this Act:

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

11 "Solar collector" means:

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

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

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

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

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

7 "Solar energy system" means:

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

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

17 "Video doorbell" means an Internet-enabled doorbell,
18 equipped with a camera or microphone, or both, that:

19 (1) sends a notification to the smartphone, computer,
20 or similar Internet-enabled mobile device of a user when a
21 guest arrives at the entrance of the door;

22 (2) is activated when the guest presses the button of
23 the doorbell, is activated when the doorbell senses a
24 guest with its built-in monitor sensors, or is activated
25 remotely by the user of the doorbell through the user's
26 smartphone, computer, or similar Internet-enabled mobile

1 device; and
2 (3) allows the user using the smartphone, computer, or
3 similar Internet-enabled mobile device to watch and talk
4 with the guest by using the doorbell's built-in camera and
5 microphone.

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

7 (765 ILCS 165/15)

8 Sec. 15. Associations; prohibitions. Notwithstanding any
9 provision of this Act or other provision of law, the adoption
10 of a bylaw or exercise of any power by the governing entity of
11 a homeowners' association, common interest community
12 association, or condominium unit owners' association which
13 prohibits or has the effect of prohibiting the installation of
14 a solar energy system, including, but not limited to, a solar
15 energy system installed for the primary purpose of providing
16 solar energy to a video doorbell, is expressly prohibited.

17 (Source: P.A. 96-1436, eff. 1-1-11.)

18 (765 ILCS 165/45)

19 Sec. 45. Inapplicability; applicability.

20 (a) This Act shall not apply to any building that:

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

22 (2) has a shared roof and is subject to a homeowners'
23 association, common interest community association,
24 condominium unit owners' association.

1 (b) Notwithstanding any provision of this Section to the
2 contrary, this Act shall apply to any solar energy system
3 installed for the primary purpose of providing solar energy to
4 a video doorbell.

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

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