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LEGISLATIVE ACTION

Senate

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House

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The Committee on Regulated Industries (Hutson) recommended the following:

**Senate Amendment (with title amendment)**

Before line 18

insert:

Section 1. Subsection (2) of section 163.04, Florida Statutes, is amended to read:

163.04 Energy devices based on renewable resources.—

(2) A deed restriction, covenant, declaration, or similar binding agreement may not prohibit or have the effect of prohibiting solar collectors, clotheslines, or other energy



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11 devices based on renewable resources from being installed on  
12 buildings erected on the lots or parcels covered by the deed  
13 restriction, covenant, declaration, or binding agreement. A  
14 property owner may not be denied permission to install solar  
15 collectors or other energy devices by any entity granted the  
16 power or right in any deed restriction, covenant, declaration,  
17 or similar binding agreement to approve, forbid, control, or  
18 direct alteration of property with respect to residential  
19 dwellings and within the boundaries of a condominium unit. Such  
20 entity may:

21 (a) Determine the specific location where solar collectors  
22 may be installed on the roof within an orientation to the south  
23 or within 45 degrees 45° east or west of due south if such  
24 determination does not impair the effective operation of the  
25 solar collectors; and

26 (b) Prohibit the installation of solar collectors in  
27 locations beyond the parameters specified in paragraph (a).

28  
29 ===== T I T L E A M E N D M E N T =====

30 And the title is amended as follows:

31 Delete line 2

32 and insert:

33 An act relating to renewable energy generation;  
34 amending s. 163.04, F.S.; authorizing certain entities  
35 to prohibit the installation of solar collectors under  
36 certain circumstances; amending s. 366.91,