

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2234 Session of
2010

INTRODUCED BY HOUGHTON, SANTARSIERO, MURPHY, BRADFORD, VITALI,
McILVAINE SMITH, KORTZ, GEORGE, BELFANTI, BROWN, CALTAGIRONE,
CUTLER, JOSEPHS, SABATINA, M. SMITH AND SWANGER,
JANUARY 29, 2010

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
JANUARY 29, 2010

AN ACT

1 Amending Title 68 (Real and Personal Property) of the
2 Pennsylvania Consolidated Statutes, prohibiting deed
3 restrictions pertaining to environmental improvements to
4 property.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Title 68 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 7104. Prohibition of deed restrictions pertaining to
10 environmental property improvements.

11 (a) General rule.--No deed restrictions, covenants or
12 similar binding agreements running with the land shall prohibit
13 or have the effect of prohibiting a solar energy system or other
14 energy device based on a renewable resource from being installed
15 on a building erected on a lot or parcel covered by the deed
16 restrictions, covenants or binding agreements. A property owner
17 may not be denied permission to install a solar energy system or

1 other energy device based on a renewable resource by any entity
2 granted the power or right in any deed restriction, covenant or
3 similar binding agreement to approve, forbid, control or direct
4 alteration of property with respect to residential dwellings or
5 real property.

6 (b) Exceptions.--This section shall not apply to
7 freestanding solar energy systems that are placed on a parcel of
8 land within deeded property.

9 Section 2. This act shall take effect in 60 days.