**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 5011**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Herbkersman, W. Newton, Erickson, Clary, Ballentine, Bernstein, Crawford, McCoy, Fry and Johnson

Document Path: l:\council\bills\df\13003cz20.docx

Companion/Similar bill(s): 1032

Introduced in the House on January 23, 2020

Currently residing in the House Committee on **Judiciary**

Summary: HOA; deed restrictions

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/23/2020 House Introduced and read first time ([House Journal‑page 42](file:///h:\hj\20200123.docx))

1/23/2020 House Referred to Committee on **Judiciary** ([House Journal‑page 42](file:///h:\hj\20200123.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=5011&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/23/2020](file:///p:\pprever\2019-20\5011_20200123.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27‑30‑135 SO AS TO RENDER A DEED RESTRICTION, COVENANT, OR A HOMEOWNERS ASSOCIATION DOCUMENT INTENDED TO PROHIBIT THE INSTALLATION OF A SOLAR ENERGY SYSTEM VOID AND UNENFORCEABLE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 30, Title 27 of the 1976 Code is amended by adding:

“Section 27‑30‑135. (A) A restrictive covenant, declaration, rule, contractual provision, or other provision concerning the installation and utilization of a solar energy system found in a deed, contract, lease, rental agreement, or the governing documents of a homeowners’ association that would prohibit or have the effect of prohibiting the installation and utilization of a solar energy system is void and unenforceable.

(B) Nothing in this section may be construed to prohibit a homeowners’ association from requiring reasonable design accommodations to ensure that a solar energy system is installed in a manner that is consistent with the aesthetic requirements applicable to all homeowners’ association members.”

SECTION 2. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑