



## House Bill 372

*Title of Issue: Solar Power Energy System Restrictions*

**ISACo Position:** Oppose

**To:** House Energy and Environment Committee

**Date:** March 8, 2021

**From:** Joe McCoy, Executive Director  
Illinois State Association of Counties

The Illinois State Association of Counties (ISACo) respectfully opposes HB 372.

The legislation would preempt local governments from restricting solar energy systems other than for criteria provided for within the bill.

The bill would allow local governments to restrict solar energy systems if the restriction either preserves or protects public health or safety or does not significantly decrease the production or efficiency of the solar energy system. However, the legislation would result in the state prohibiting local governments from imposing sensible restrictions on residential solar energy systems even if such systems would have a detrimental impact on neighborhood aesthetics and property values.

With respect to the allowable restrictions proposed within the bill, who would decide whether a restriction does or does not “significantly” decrease the production or efficiency of the solar energy system? This is a vague term that in and of itself may provoke disputes, and possibly litigation, between a homeowner and local government.

Decisions about whether to allow for the installation and use of residential solar energy systems, as well as what restrictions apply to their installation or use, are appropriately discussed and decided upon by local governments in dialogue with local residents.

The legislation also includes a home rule preemption, which would extend the limitations to include Cook County. For these reasons, ISACo opposes the legislation.