

~~ELECTRICITY GENERATION, SPACE HEATING, SPACE COOLING, OR WATER HEATING; OR~~

~~(H) A STRUCTURAL DESIGN FEATURE OF A BUILDING, THE PRIMARY PURPOSE OF WHICH IS TO PROVIDE FOR THE COLLECTION, STORAGE, AND DISTRIBUTION OF SOLAR ENERGY FOR ELECTRICITY GENERATION, SPACE HEATING, SPACE COOLING, OR WATER HEATING.~~

~~(B) A LOT OWNER WHO OWNS A DWELLING UNIT THAT HAS INSTALLED A SOLAR ENERGY SYSTEM MAY NEGOTIATE WITH NEIGHBORING LOT OWNERS TO OBTAIN A SOLAR EASEMENT THAT SHALL BE RECORDED IN WRITING.~~

~~(C) ANY WRITTEN INSTRUMENT CREATING A SOLAR EASEMENT SHALL INCLUDE:~~

~~(1) A DESCRIPTION OF THE DIMENSIONS OF THE EASEMENT EXPRESSED IN MEASURABLE TERMS, INCLUDING VERTICAL OR HORIZONTAL ANGLES MEASURED IN DEGREES OR THE HOURS OF THE DAY ON SPECIFIED DATES WHEN DIRECT SUNLIGHT TO A SPECIFIED SURFACE OF A SOLAR ENERGY SYSTEM MAY NOT BE OBSTRUCTED;~~

~~(2) THE RESTRICTIONS PLACED ON VEGETATION, STRUCTURES, AND OTHER OBJECTS THAT WOULD IMPAIR THE PASSAGE OF SUNLIGHT THROUGH THE EASEMENT; AND~~

~~(3) THE TERMS UNDER WHICH THE EASEMENT MAY BE REVISED OR TERMINATED.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2008.

Approved by the Governor, April 24, 2008.

---

## CHAPTER 139

(House Bill 140)

AN ACT concerning