
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1759 Session of
2023

INTRODUCED BY HANBIDGE, SMITH-WADE-EL, MADDEN, KHAN, OTTEN,
BURGOS, CONKLIN, SCHLOSSBERG, SANCHEZ, GUENST, HILL-EVANS,
KAZEEM, BOROWSKI, STEELE, VITALI AND CIRESI, OCTOBER 16, 2023

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, OCTOBER 16, 2023

AN ACT

1 Amending Title 68 (Real and Personal Property) of the
2 Pennsylvania Consolidated Statutes, in general provisions
3 relating to condominiums, further providing for definitions;
4 and, in management of the condominium, further providing for
5 powers of unit owners' association.

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

8 Section 1. Section 3103 of Title 68 of the Pennsylvania
9 Consolidated Statutes is amended by adding definitions to read:

10 § 3103. Definitions.

11 The following words and phrases when used in this subpart and
12 in the declaration and bylaws shall have the meanings given to
13 them in this section unless specifically provided otherwise or
14 unless the context clearly indicates otherwise:

15 * * *

16 "Detached roof." A roof of a unit that is solely owned by an
17 individual and is not designated as part of the common elements
18 in the governing documents of the association.

19 * * *

1 "Solar energy system." Any of the following that have the
2 primary purpose of providing for the collection, storage and
3 distribution of solar or radiant energy received from the sun to
4 generate electricity:

5 (1) A solar collection panel, film, shingle or other
6 solar energy device.

7 (2) A solar structural component fixed in an operating
8 position.

9 * * *

10 "Townhouse unit." A unit designed for a single family:

11 (1) That is constructed with attached walls to another
12 unit on at least one side that extends from the foundation to
13 the roof.

14 (2) That has at least two sides unattached to another
15 building.

16 (3) For which the repair of the roof of the unit is
17 designated as the responsibility of the owner of the unit and
18 not the responsibility of the association.

19 * * *

20 Section 2. Section 3302 of Title 68 is amended by adding a
21 subsection to read:

22 § 3302. Powers of unit owners' association.

23 * * *

24 (c) Solar energy systems.--Notwithstanding subsection (a),
25 the association may not prohibit or restrict the installation or
26 use of a solar energy system on a detached roof or townhouse
27 unit.

28 Section 3. This act shall take effect in 60 days.