

HOMEOWNERS' ENERGY POLICY ACT (EXCERPT)
Act 68 of 2024

***** 559.305.new *THIS NEW SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE 2024 REGULAR SESSION SINE DIE* *****

559.305.new Homeowners' association agreements; invalid and unenforceable provisions; local unit of government; permissible requirements.

Sec. 5. (1) Any of the following in a homeowners' association agreement is invalid and unenforceable as contrary to public policy:

(a) A provision that prohibits, or requires the approval of a homeowners' association for, a member to replace, maintain, install, or operate an energy-saving improvement or modification.

(b) A provision that compels, or requires association approval for, a member to make auxiliary changes needed for the installation of an energy-saving improvement or modification.

(2) A local unit of government shall not require a member to obtain the approval of a homeowners' association to do any of the following:

(a) Replace, maintain, install, or operate an energy-saving improvement or modification.

(b) Make auxiliary changes needed for the installation of an energy-saving improvement or modification.

(3) Subject to subsection (2), this act does not prohibit a local unit of government from imposing requirements that may prohibit or limit the replacement, maintenance, installation, or operation of an energy-saving improvement or modification or making of auxiliary changes needed for the installation of an energy-saving improvement or modification by a member.

History: 2024, Act 68, Eff. (sine die).