RELATING TO HOUSEHOLD ENERGY DEMAND.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that electric clothes dryers use over ten per cent of many households' total energy demand. Reducing the use of clothes dryers in the state could substantially decrease the amount of electricity that households use and thereby reduce the amount of fossil fuels used to generate electricity.

The legislature further finds that simple clotheslines make efficient use of two abundant resources, sun and wind, to dry clothing. For aesthetic reasons, however, many homeowners associations' prohibit or render ineffective the use of clotheslines to dry clothes by association member homeowners.

The legislature further finds that, while aesthetic concerns may have been acceptable 20 years ago, it makes no sense today to restrict smart energy-saving behavior given Hawaii's high energy costs, Hawaii's overdependence on fossil fuels, and climate change issues.

The purpose of this Act is to prohibit:
(1) Contracts and other binding agreements from precluding the erecting and use of clotheslines on the premises of single-family residential dwellings; and

(2) Rules on the placement of clotheslines from being unduly or unreasonably restrictive.

SECTION 2. Section 196-7, Hawaii Revised Statutes, is amended as follows:

1. By amending its title and subsection (a) to read:

"§196-7 Placement of solar energy devices. (a) Notwithstanding any law to the contrary, no person shall be prevented by any covenant, declaration, bylaws, restriction, deed, lease, term, provision, condition, codicil, contract, or similar binding agreement, however worded, from installing a solar energy device on any single-family residential dwelling or townhouse that the person owns, or erecting and using a clothesline for the purpose of drying clothes on the premises of any single-family residential dwelling or townhouse that the person owns; provided that rules that facilitate the placement of clotheslines shall not be unduly or unreasonably restrictive. Any provision in any lease, instrument, or contract contrary to the intent of this section shall be void and unenforceable."

2. By amending subsection (f) to read:
"(f) For the purposes of this section:

"Private entity" means any association of homeowners, community association, condominium association, cooperative, or any other non-governmental entity with covenants, bylaws, and administrative provisions with which the homeowner's compliance is required.

"Solar energy device" means any identifiable facility, equipment, apparatus, or the like, [including a photovoltaic cell application,] that is applicable to a single-family residential dwelling or townhouse and makes use of solar energy for heating, cooling, or reducing the use of other types of energy dependent upon fossil fuel for generation[+], including, but not limited to, photovoltaic cell applications and clotheslines; provided that for purposes of this section, "clothesline" means a rope, cord, or wire on which laundry is hung to dry; provided further that "solar energy device" shall not include skylights or windows."

SECTION 3. Section 235-12.5, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) For the purposes of this section:

"Actual cost" means costs related to the renewable energy technology systems under subsection (a), including accessories
and installation, but not including the cost of consumer
incentive premiums unrelated to the operation of the system or
offered with the sale of the system and costs for which another
credit is claimed under this chapter.

"Renewable energy technology system" means a new system
that captures and converts a renewable source of energy, such as
wind, heat (solar thermal), or light (photovoltaic) from the sun
into:

(1) A usable source of thermal or mechanical energy;

(2) Electricity; or

(3) Fuel[\*];

provided that for purposes of this section, "renewable energy
technology system" shall not include skylights, windows, or
clotheslines.

"Solar or wind energy system" means any identifiable
facility, equipment, apparatus, or the like that converts
insolation or wind energy to useful thermal or electrical energy
for heating, cooling, or reducing the use of other types of
energy that are dependent upon fossil fuel for their
generation[\*]; provided that for purposes of this section,
"solar or wind energy system" shall not include skylights,
windows, or clotheslines."
SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.
Report Title:  
Solar Energy; Clotheslines

Description:  
Allows for the use of clotheslines on any privately owned single-family residential dwelling or townhouse. (CD1)