

**TESTIMONY OR PRESENTATION INFORMATION  
FOR  
LOCAL GOVERNMENT COMMITTEE**

Please send all testimony or presentations in pdf format 24 hours in advance of the scheduled meeting to [Debra.Heideman@house.ks.gov](mailto:Debra.Heideman@house.ks.gov)

Name of Conferee/Presenter: Jay and Ellen Portnoy

Agency represented Private Citizens

Bill # HB 2268

Proponent

Opponent

Neutral

Will your testimony be given:

Oral In Person

Oral Via WebEx

Written Only

If you are presenting testimony via WebEx, you will need to be sent an invitation to join the meeting. Please provide your email address.

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Name of your presentation

Do you need Audio/Video Equipment for your presentation? Please list.

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Thank you,  
Debra Heideman, Local Government  
Committee Assistant  
Room 149-S, 785-296-7681

**Before the House Local Government Committee  
Presented by Jay and Ellen Portnoy, Private Citizens  
Proponent to HB 2268  
2-14-24**

Dear Chair Bergquist and Members of the Committee,

Thank you for the opportunity to submit testimony in support of HB 2268, which would allow Kansans the freedom to install solar on their homes regardless of their Homeowners Association (HOA).

In 2006, we installed a solar photovoltaic system on the roof of our home. There were no issues as our HOA did not forbid their installation. It turns out that we were the first residential customers of what was then Kansas City Power and Light to retrofit a home with solar panels.

We had two goals. First, we wanted the security of having reliable power even during hot summer days when power outages are becoming more common and cold winter days when even gas furnaces require electricity to run. Second, we were concerned about climate change and the need to reduce carbon emissions. We wanted to do our part as citizens of planet Earth. The system did reduce our energy bill by about 30%.

In 2020, we moved to a new neighborhood. We loved the home, the location, and the neighbors. What we never considered was whether we would be permitted to install a solar system on the roof of this new home. We chose a home with a south-facing roof specifically for that reason. We even had solar installers give us bids. It was then that we discovered that the HOA bylaws forbid the installation of any type of solar energy system.

We have spoken with the HOA board, but there is no process to get these restrictions, which were written over 30 years ago, changed. In fact, we were told the only way it would change is if the state changed the laws. Last year we spoke to our state senator and representative. We joined the Sierra Club to join their efforts for this important change. We spoke with others who we know also have been prevented from installing solar systems by their HOAs.

Given the increasingly hot and lengthy summers and the increased demand on the grid, we are concerned that outages may become more common in the future. Two years ago there were rolling brown outs in Johnson county. We are unable to take advantage of this renewable energy source that could reduce our energy bill and at the same time help prevent energy shortages for others.

We therefore believe that Homeowners Associations should not be allowed to prevent residents from installing solar systems on their roof. I understand that nearly 30 states have solar access laws that prevent HOAs from restricting rooftop solar systems. Missouri passed a solar access law in 2022. We believe that the people of Kansas should be permitted to install solar and that HOAs should not be able to prevent that.

Because solar offers security, cost savings and they benefit the planet, we urge you to pass HB 2268 this year.

Thank you for your attention.

Sincerely,

Jay and Ellen Portnoy, Private Citizens  
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