



SOLAR UNITED NEIGHBORS OF INDIANA

2019 Renewable Energy Day Training Webinar



Our Theory of Change



The role of citizen lobbyists in shaping policy

People who have a stake in the renewable energy economy are motivated and compelling advocates for stronger renewable energy policies.



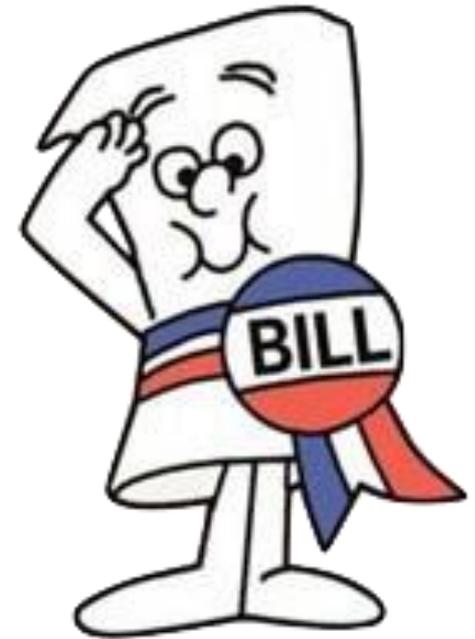
Citizen Lobbying

- **What is Lobbying?**
 - getting what you want by advocating to the people with the power to give it to you.
- **Does grassroots lobbying work?**
 - **YES!**



How does a bill become law?

1. Introduced in the originating house
2. Assigned to committee, which holds a public hearing and votes
3. If bill passes out of committee, it goes to the full body for a vote
4. If voted out of the originating house, it must go through the same process in the other house
5. If different version pass out of each house, the versions must be reconciled
6. After passing both houses, the governor must sign (the legislature can override a veto)



A bill = proposed law

Levels of citizen lobbying



Lobbying in person

- ✓ Meeting in person with your representative is usually the most impactful way to lobby.
- ✓ Request meeting (at least one week ahead) at their legislative office or in your district.
- ✓ If your legislator is not available, ask to meet with a staffer.
 - Meeting with a legislative staffer can be hugely impactful, as they are often tracking specific bills and can influence the legislator

Preparing for the meeting

- ✓ **Learn about your representative's background and their energy voting record (ask us).**
- ✓ **It's a good idea to have a one-page outline of talking points.**
- ✓ **Don't bring a lot of written material to leave with the legislators; if you do, it should be no more than 1-2 pages.**

Tips for communicating with your representatives

- ✓ **Prepare what you want to say ahead of time, including your personal story about how the bill solves a problem or impacts your family, community, or business.**
 - **Remember that your personal story will make a greater impact than presenting facts about the bill.**
- ✓ **Start with the ask (vote yes or no)**
 - **Briefly state how you would like your rep. to vote and explain how the bill would impact you, your family, business, and/or community.**

Tips for communicating with your representatives

- ✓ **Address them by their proper title**
 - **Example: Honorable Representative Smith**
- ✓ **Identify yourself by:**
 - **Name**
 - **Town, county, or district**
 - **If relevant to the issue, profession and organizational affiliation**
- ✓ **Identify the bill you want to talk about by bill title and number.**

Tips for communicating with your representatives

- ✓ **Be politely assertive and use a professional tone. Try not to express anger!**
 - One of the goals of communicating is to build an ongoing and productive relationship.
- ✓ **If the representative opposes, express disappointment and offer to answer questions or supply additional information.**
 - Ask: what kind of information would you need to reconsider your position?
- ✓ **Follow up ASAP by email with the information and restate your position.**

During the meeting

- ✓ Make sure to allow lots of opportunities for the legislators to speak about their positions and concerns, but don't let them derail the meeting.
- ✓ Dress professionally but comfortably, as appropriate.
- ✓ It's a good idea to take brief notes as long as it's not distracting.

During the meeting

- ✓ **If you do not know the answer to a question...**
 - say so, and offer to find the answer and provide it to the representative later.
 - We can help you find the answer!
- ✓ **Close the meeting by thanking your representative for the meeting and say that you will send a follow-up email.**

After the meeting...

- ✓ **Review/clarify your meeting notes**
- ✓ **Send follow-up email thanking them for the meeting**
 - Include any requested information
 - Repeat your ask
- ✓ **If your legislators say they will vote yes (or no)**
 - Thank them and urge them to encourage their colleagues to follow suit.

What we're fighting for in Indiana

✓ **YES on HB 1331!**

– Laura Arnold, Indiana Distributed Energy Alliance

✓ **NO on HB 1470!**

– Kerwin Olson, Citizens Action Coalition

The background of the slide features a stylized illustration. On the left, a bright yellow sun with orange rays is partially visible. In the top right, there is a white, fluffy cloud. The central focus is a blue house with a dark grey roof. Four orange solar panels are mounted on the roof. The house has a central door and several windows, some with white frames. To the right of the house, a brown utility pole stands with two power lines extending from it. The ground is a solid green color.

Fixing the HOA Solar Panel Problem in Indiana

Presented by:

Joey Myles, HOA Solar Homeowner

Indianapolis, IN

What is the HOA Solar Problem?



2 Types of HOA Restrictions on Solar Panels:

1. Absolute Prohibitions
2. Unreasonable Restrictions on Placement
 - No street-facing, back of home, etc.

Why do HOAs restrict solar panels?

1. Aesthetics – the perception that solar panels are ugly
2. Want to maintain uniformity and consistency among all homes
3. Often prefer solar shingles (not yet cost-effective/ROI of 30+ years, unproven, and unavailable in Indiana)
4. Fear of the unknown; not enough education on the issue; allowing this will lead to that, etc.

Many HOA covenants still refer to “solar heat panels,” an obsolete technology from the 1980s

Solar photovoltaic (PV) panels



Solar heat panels

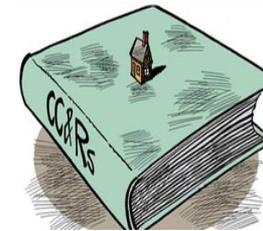


How Big is This Problem in Indiana?



While statewide information is difficult to capture, here is a snapshot of the HOA solar restrictions in central Indiana alone:

County	Subject to Architectural Review Committee	Absolute Prohibition	Roof Prohibition (full or partial)	Total
Marion	51	34	64	149
Hamilton	40	51	20	111
Hendricks	12	24	18	54
Johnson	30	10	6	46
Hancock	2	5	1	8
Boone	0	3	4	7
Morgan	3	2	0	5
Shelby	0	1	0	1
Total	138	130	113	381



CC&R's
& Bylaws



This Affects Real People in Indiana

Name: Dustin Holt
Resides: Franklin Township, Indianapolis
Type of HOA Solar Restriction: Absolute Prohibition



Name: Matt Milharcić
Resides: Avon
Type of HOA Solar Restriction: Absolute Prohibition



Name: Joey Myles
Resides: Franklin Township, Indianapolis
Type of HOA Solar Restriction: Unreasonable Restrictions on Placement



Forced to install north-facing panels due to south being street view (thus losing 52% output)



Drawings of optimal installation on Joey's home



What Are Reasonable Standards?

- Avoid street view unless this would decrease efficiency more than 10-15%
- Mounted parallel to the roof plane
- Stand-off distance from the roof decking/shingles is reasonably minimized
- Top edge of the panel does not extend above the peak of the roof
- Surface of the panel is non-glare
- Trim on the edges of the panels (if any) matches the panel
- Visibility of any plumbing, wiring, and/or other auxiliary equipment not part of the energy production, is reasonably minimized, or if visible, painted to match roof color



Solar installers already adhere to these requirements!



Legislative History

- 2017 Senate Bill 500: Passed Indiana Senate 31-17
- 2018 Senate Bill 207: Passed Indiana Senate 36-12
- Both bills died due to not receiving hearing in House Judiciary Committee



Sen. Aaron Freeman
(R-Indianapolis)
(Joey's State Senator)





2019 – House Bill (HB 1331)



Rep. Mike Speedy
(R-Indianapolis)
Author

(Joey's State Representative)



Rep. Jerry Torr
(R-Carmel)
Co-Author



Rep. Matt Pierce
(D-Bloomington)
Co-Author



Rep. Carey Hamilton
(D-Indianapolis)
Co-Author

Current Status

- 2/19/2019 – Passed 90-6 out of the Indiana House of Representatives.
- Currently awaiting its Senate Committee assignment (likely either Utilities or Judiciary)





What Does HB 1331 Say?

- Bars HOAs from imposing absolute prohibitions on solar panels in HOA governing documents that are enacted or amended after July 1, 2019
- Incorporates several of the previously mentioned standards, including:
 - a. “Unreasonable limitation” – inhibiting the solar energy system from functioning at its intended maximum efficiency
 - b. Panels must be installed no more than 4 inches above or beyond the roof line and be parallel to roof slope
 - c. Auxiliary equipment (piping, wiring, etc.) must be silver, bronze, or black
- 2 amendments were added during House Utilities Committee vote, 1 of which was a very bad amendment dealing with visibility from public rights of way
- We urge the Indiana Senate to remove this bad amendment
- Full text of HB 1331: <http://iga.in.gov/legislative/2019/bills/house/1331#document-9ab729d8>





Significant Media Attention in 2018

Pump up your points! Earn 2x fuel points on hundreds of home throughout the store. Restrictions apply. Visit Kroger.com for details.



Trump, Pence make first year bountiful for religious right

Trump and Pence have made the first year of their administration bountiful for the religious right. The president and vice president have signed executive orders and signed legislation that...



January 21, 2018
Indy Star – front page on a Sunday!



SIGN up for FREE
Receive Indiana Lawye
• Latest opinions from Indiana appellate courts
• Breaking news on federal/state/regional legal
• The latest in legal news from Indiana's 92 cour

HOME NEWS IN THIS ISSUE BAR ASSOC. CORP. COUNSEL ANNOUNCEMENTS OPINIONS CLE/EVENTS SU

Quick Links: [New laws for 2018](#) | [2017 Year in Review](#) | [Legal Impact podcast](#) | [Indiana court vacancies](#) | [Trial Reports](#)

Home » [Bill prohibiting neighborhood bans on solar panels stalls](#)

Bill prohibiting neighborhood bans on solar panels stalls

March 7, 2018 | Olivia Covington

KEYWORDS LAW & POLITICS / INDIANAPOLIS / MARIION COUNTY / CENTRAL INDIANA / INDIANA SENATE / INDIANA GENERAL ASSEMBLY / GOVERNMENT / REGIONAL NEWS / LEGISLATION / PROPOSED LEGISLATION / LAWS / ZONING / LOCAL GOVERNMENT

PRINT 9 2 3

RELATED NEWS AND OPINION
Indiana lawmakers advance bill to ban eyeball tattooing February 26, 2018

As Indianapolis resident Joey Myles was building his "forever home" on the south side, there was one feature he wanted: solar roof panels.

He hired a solar panel contractor, drew up the plans and invested the money. All that was left was getting approval from his homeowners association's architectural review

March 7, 2018
The Indiana Lawyer



TOP SOLAR CONTRACTORS SOLAR+STORAGE SOLAR ARTICLES PRODUCTS LEADERSHIP

Solar does work within HOAs, but installers have to stay vigilant

By Kelly Pickerel | August 13, 2018

According to the resource website HOA-USA, there are over 351,000 homeowner associations (HOAs) in the United States, representing over 40 million households or 53% of owner-occupied households. That means the large majority of residential solar installers have had to deal with HOA rules concerning solar on certain homes.

And boy, do those rules vary. Only about half of the 50 states have laws preventing HOAs from denying solar applications for aesthetic reasons. How a HOA will react to solar requests in the other states is a toss-up.

HOAs are organizations in neighborhoods that make and enforce rules for the houses or condominiums within their jurisdiction. Those living within these established communities pay fees that go toward having



August 13, 2018
Solar Power World



Media Attention Continuing in 2019....



Indiana Republican-Dominated Senate, House Consider Solar Bills

theREALnews
network

By: Steve Horn | February 12, 2019

Solar HOA At-Play

For the third year in a row, Indiana lawmakers have introduced legislation in the form of HB 1331 calling for homeowners associations in the state not to restrict rooftop solar panels within their communities.

Within Indiana, HOAs have full legal authority to craft contractual arrangements which de facto prohibit or nearly prohibit the ability to situate solar on the rooftops of their residents. Indeed, many states across the country have residential development by-laws [mirroring those of Indiana](#).

But HB 1331 seeks to undo that.

Authored by Speedy, a former Indianapolis City Council member who represents southeast Marion County, the bill would ban homeowners associations from the ability to “prohibit the owner of a dwelling unit from installing a solar energy system,” prohibit doing anything which would “impose unreasonable limitations on the owner’s ability to install or use a solar energy system” or “require the removal of a solar energy system that has been installed.”

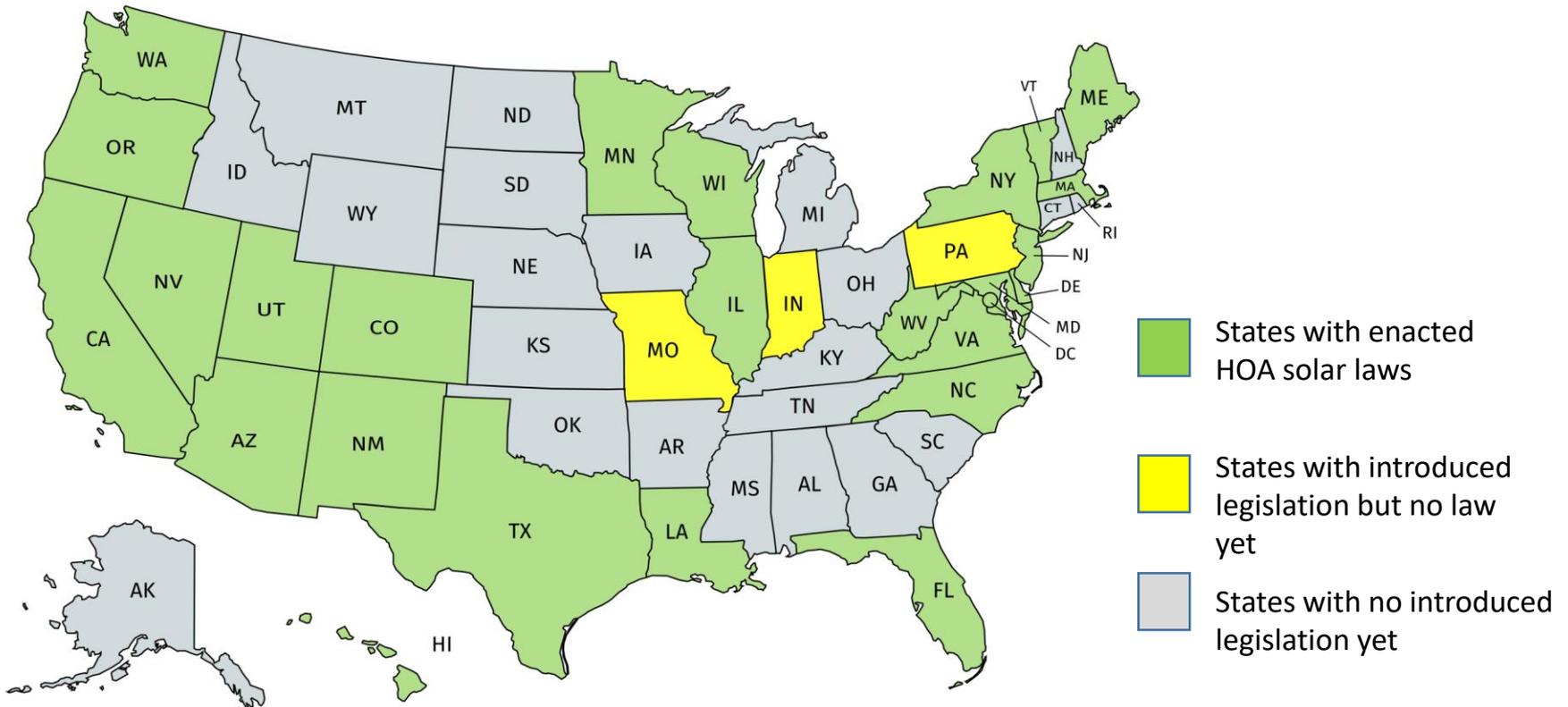
The 2018 version of HB 1331, [SB 207](#), passed in the Senate in a bipartisan fashion but failed to receive a House vote. The 2019 version of the law would not apply retrospectively to old HOA developments and only to prospectively of new ones which crop up throughout the state.

In a January 2018 investigative article, *The Indianapolis Star* [reported that](#) In Marion

February 12, 2019
Real News Network



At least 25 States and D.C. Already Have This Law!



Additionally, an effort to fix this at the federal level was made in 2009 (House Resolution 2454, section 209) but the legislation did not receive a vote.



Why This Legislation is Important for Indiana

1. Energy freedom and choice; less reliance on the grid
2. The ability to take personal responsibility for one's own energy future
3. Economically:
 - a. Purchasing a solar energy system allows you to hedge future increases in electric utility costs
 - b. Filing the solar panel property tax exemption prevents your solar panels from increasing your assessed value
4. Provides a check and balance on power of HOAs





Contact Information and How to Join the Campaign

Joey Myles

jackbauer3487@yahoo.com

(317) 341-5021

Laura Arnold, President

Indiana Distributed Energy
Alliance (IndianaDG)

laura.arnold@indianadg.net

(317) 635-1701

To join the campaign, please visit
<http://www.indianadg.net/join-indianadg/> or contact Laura
Arnold.



IndianaDG

Working to promote renewable energy and distributed generation



HB1470: Utility transmission improvements and costs

✓ What it does

- Amends 2013 TDSIC Law (SEA560)
- Applies to both electric and gas utilities
- Eliminates planning requirements on utilities
- Eliminates discretion of IURC
- Reduces oversight of monopolies

HB1470: Utility transmission improvements and costs

✓ Why it is bad policy

- Higher bills for consumers
- Higher monthly fixed charges for consumers
- Encourages and incentivizes the status quo
- Excessive profits for monopolies

HB1470: Utility transmission improvements and costs

✓ Where it is in the legislative process

- Passed the Indiana House of Representatives by a 74 – 19 vote on February 5th
- Awaiting committee hearing in the Senate

✓ For more information

- <https://www.citact.org/indiana-general-assembly-indiana-bill-watch/2019-indiana-general-assembly/news/background-house-bill>

Next steps

- ✓ **2019 Renewable Energy Day**
 - Wednesday, March 6 starting at 8 a.m.
 - Learn more and RSVP at:
SolarUnitedNeighbors.org/2019RenewableEnergyDay
- ✓ **Let us know if you need help connecting with your representatives (meeting setup, etc.)**

