STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 1440 By: Bingman of the Senate

and

Sears of the House

COMMITTEE SUBSTITUTE

An Act relating to wind energy facilities; imposing a moratorium on new wind energy facilities until certain date; stating exception; requiring study of certain wind energy related issues; requiring legislative recommendations; providing for codification; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 160.20 of Title 17, unless there is created a duplication in numbering, reads as follows:

A. Upon the effective date of this act, there shall be a moratorium imposed on any new development, construction or installation of any wind energy facility, as defined in Section 160.13 of Title 17 of the Oklahoma Statutes, in any area of this state east of United States Interstate Highway 35 until January 1, 2017, unless earlier repealed or modified by law. Wind energy

facilities that have commenced construction as defined in Section 160.13 of Title 17 of the Oklahoma Statutes as of January 1, 2014, shall not be affected by the provisions of this act.

B. During the moratorium, a study shall be conducted under the direction of the Secretary of Energy, in cooperation with the Secretary of Agriculture and the Secretary of Commerce, to determine if future wind energy facilities are appropriate for location in areas of this state subject to the moratorium established in subsection A of this act, which are estimated to have less than fair annual wind power resources. The Secretaries may utilize any number of persons or employees to study any relevant issues relating to wind energy development including, but not limited to, the necessity of additional electric power supplied by wind resources in these geographic areas, the availability of transmission facilities necessary to utilize wind energy, the impact to the environment and ecology in the area on humans, domestic animals and wildlife, the financial impact on local economies from industry investment; the fiscal impact of available tax credits; and measurement public support and commitment to the industry. Upon completion of the study, the Secretary of Energy shall deliver legislative recommendations to the Governor, the Pro Tempore of the Senate and the Speaker of the House of Representatives.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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