

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 1440

By: Bingman of the Senate

and

Sears of the House

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9 COMMITTEE SUBSTITUTE

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

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

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

20 A. Upon the effective date of this act, there shall be a
21 moratorium imposed on any new development, construction or
22 installation of any wind energy facility, as defined in Section
23 160.13 of Title 17 of the Oklahoma Statutes, in any area of this
24 state east of United States Interstate Highway 35 until January 1,
2017, unless earlier repealed or modified by law. Wind energy

1 facilities that have commenced construction as defined in Section
2 160.13 of Title 17 of the Oklahoma Statutes as of January 1, 2014,
3 shall not be affected by the provisions of this act.

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

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

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

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