

An Act

ENROLLED SENATE
BILL NO. 915

By: Green of the Senate

and

Boles and Burns of the
House

An Act relating to solar energy facilities; defining terms; requiring certain newly constructed facilities to meet certain standards; providing applicability; providing for fee payment; directing rule promulgation; providing applicability; providing exception; providing when setback requirements shall apply; providing for codification; providing an effective date; and declaring an emergency.

SUBJECT: Solar energy facilities

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 160.41 of Title 17, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Commercial solar energy facility" means an installation of interconnected photovoltaic, ground-mounted solar panels on a tract of land in this state, which generate electricity for distribution. Provided, the term shall not include any solar energy generated through distributed generation installed by residential customers; and

2. "Distributed generation" means distributed generation as defined in Section 156 of Title 17 of the Oklahoma Statutes.

B. Any commercial solar energy facility constructed on land owned and leased by the Commissioners of the Land Office on and after the effective date of this act shall:

1. Be installed on permanent grass that is suitable for livestock grazing and allow for the grazing of livestock. Provided, the landowner or livestock owner shall not be liable for any damage to the facility caused by livestock;

2. Be constructed at not less than eight (8) feet high from the lowest point of the solar panel;

3. If there is more than one row of solar panels, provide not less than twenty-five (25) feet of space between each row;

4. Be constructed not less than five hundred (500) feet from the nearest point on the outside wall of any occupied residence, unless waived in writing by the owner of the residence;

5. Promote optimal runoff flow with diversions, terraces, basins, and other earthworks to prevent soil loss and erosion; and

6. Be liable for all soil erosion occurring along the land in which the panels are installed for the life of the project.

C. Any land owned and leased by the Commissioners of the Land Office in which a commercial solar energy facility is constructed on, shall also be made available to be leased by another party for the purposes of livestock grazing.

D. Upon the effective date of this act, the owner of the commercial solar energy facility shall be required to pay ad valorem taxes and any other assessments due upon the improvements or structures of the commercial solar energy facility. The owner of the commercial solar energy facility shall make the required payment to the county treasurer of the county not later than December 31 of each year.

E. A leasing agreement offered to a landowner by an operator of a solar energy facility shall, if elected by the landowner, offer the same provisions as prescribed in paragraphs 1 through 6 of

subsection B of this section. The landowner may elect not to include such provisions in the leasing agreement.

F. The Corporation Commission shall enforce the provisions of this act and may promulgate any rules necessary to effectuate the provisions of this act, including the assessment of fines and fees.

G. This act shall apply to ten (10) megawatt and larger solar energy and associated battery storage facilities. Furthermore, this act shall not apply to any project that the Commissioners of the Land Office has a lease with as of the effective date of this act.

SECTION 2. This act shall become effective July 1, 2025.

SECTION 3. It being immediately necessary for the preservation of the public peace, health or 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.

Passed the Senate the 20th day of May, 2025.

Presiding Officer of the Senate

Passed the House of Representatives the 5th day of May, 2025.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____