

**BILL SUMMARY**  
1<sup>st</sup> Session of the 60<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>SB2</b>
<b>Version:</b>	<b>FA1</b>
<b>Request Number:</b>	<b>13655</b>
<b>Author:</b>	<b>Rep. Caldwell, T.</b>
<b>Date:</b>	<b>5/6/2025</b>
<b>Impact:</b>	<b>Unknown</b>

**Research Analysis**

The Floor Substitute for SB 2 creates setback requirements for industrial wind turbines in affected counties. Affected counties include those with a population density greater than 8.5 people per square mile and those with an average wind speed of less than 9.5 miles per hour.

The turbines must be at least:

- 1.5x the windmill tower height away from any non-participating property line, measured from the base of the windmill; or
- 1/2 nautical mile away from the nearest point of a "dwelling", which is defined as a structure that is occupied by at least one person for at least half of the year.

A property owner, who would otherwise be affected, can waive the setback requirements if they choose. A lease agreement with a wind energy company constitutes a waiver.

These setbacks will remain in effect unless a Board of County Commissioners agrees to refer the elimination, modification, or adoption of the setback requirements to a vote of county residents. County residents may also vote on the setbacks if a certain amount of residents file a petition with the county clerk. Such votes may not occur more frequently than every five years.

The measure requires the act to supersede any zoning provisions. Further, once a wind energy company is contractually guaranteed connection to the SPP, it has four years to start substantial construction activity. If a wind energy company has had a contract guaranteeing grid connection, or has had grid connection for three years, the company has 12 months to begin substantial construction activity. If a wind energy lease was already filed in the county land records before the measure takes effect, and it meets these conditions, then it does not have to follow setback rules. If it was filed after the effective date, it must follow the setback rules.

Lastly, the Corporation Commission must maintain a public database containing the status of the setback requirements in each affected county.

**DIFFERENCES BETWEEN ENGROSSED AND FLOOR SUB VERSIONS**

The Floor Sub is all new language.

Prepared By: Emily Byrne

**Fiscal Analysis**

The floor amendment to SB 2 introduces language related to setback requirements for wind energy structures. This measure requires the Oklahoma Corporation Commission to maintain a public database of setback provisions by county. The Corporation Commission anticipates a significant fiscal impact in order to create and maintain such a database, and would potentially requires additional appropriations to cover these costs; however, exact cost estimates are unknown at this time.

Prepared By: Jay St Clair, House Fiscal Staff

**Other Considerations**

None.