

FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2751 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Nick Archer

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 FLOOR SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 2751

By: Caldwell (Trey), Hays, and
Turner of the House

6 and

7 Seifried of the Senate

8
9 FLOOR SUBSTITUTE

10 An Act relating to wind and solar energy assets;
11 defining terms; providing for restrictions related to
12 proximity of wind or solar energy assets to certain
13 structures; authorizing waiver process; prescribing
14 procedures for waivers; providing for prospective
15 application; providing for codification; and
16 declaring an emergency.

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

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 160.21.1 of Title 17, unless
20 there is created a duplication in numbering, reads as follows:

21 As used in this act:

22 1. "Industrial wind facility" means any wind energy conversion
23 system, or grouping of systems, constructed or operated for the
24 primary purpose of generating electricity for off-site sale,
commercial distribution, or transmission to the electrical grid.

1 This includes, but is not limited to, facilities participating in a
2 power purchase agreement, utility-scale development, or regional
3 transmission organization (RTO) market structure. This definition
4 does not include wind energy systems installed for personal,
5 agricultural, or on-site use where the energy produced is not
6 primarily intended for commercial sale or distribution;

7 2. "Industrial solar facility" means any solar photovoltaic
8 installation, solar array, or grouping of panels constructed or
9 operated for the primary purpose of generating electricity for off-
10 site sale, commercial distribution, or transmission to the
11 electrical grid. This includes, but is not limited to, utility-
12 scale solar farms and facilities participating in a power purchase
13 agreement or commercial energy market. This definition does not
14 include solar systems used for personal, residential, or
15 agricultural on-site use where the energy produced is not primarily
16 intended for commercial sale or distribution;

17 3. "Occupied permanent dwelling" means a residential structure
18 that:

- 19 a. is legally established as a permanent residence and
20 does not include recreational vehicles, campers, or
21 any other non-permanent structures,
- 22 b. is occupied for at least fifty percent (50%) of the
23 calendar year, and

24

1 c. is listed as the primary residence of the occupant on
2 either the Oklahoma voter registration rolls or a
3 valid state-issued identification card.

4 SECTION 2. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 160.21.2 of Title 17, unless
6 there is created a duplication in numbering, reads as follows:

7 A. No industrial wind facility shall be sited within one-half
8 (1/2) mile of an occupied permanent dwelling, as defined in Section
9 1 of this act.

10 B. No industrial solar facility shall be sited within one-
11 quarter (1/4) mile of an occupied permanent dwelling, as defined in
12 Section 1 of this act.

13 C. No additional or arbitrary property line setbacks shall be
14 imposed beyond what is required to ensure physical safety in
15 accordance with recognized industry engineering practices.

16 SECTION 3. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 160.21.3 of Title 17, unless
18 there is created a duplication in numbering, reads as follows:

19 A. A landowner whose dwelling qualifies under paragraph 3 of
20 Section 1 of this act may voluntarily waive the setback requirement
21 established in subsection A or subsection B of Section 2 of this
22 act, as applicable.

23 B. Such waiver shall:

24 1. Be signed and notarized by all property owners of record;

1 2. Clearly describe the proposed facility location and its
2 distance to the dwelling; and

3 3. Be filed and recorded with the county clerk of the county in
4 which the dwelling is located.

5 SECTION 4. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 160.21.4 of Title 17, unless
7 there is created a duplication in numbering, reads as follows:

8 This act shall not apply retroactively to any facility that has
9 been permitted, is under construction, or is in operation prior to
10 the effective date of this act.

11 SECTION 5. It being immediately necessary for the preservation
12 of the public peace, health or safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

15

16 60-1-13397 MAH 03/26/25

17

18

19

20

21

22

23

24