

SENATE CHAMBER  
STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. 1

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COMMITTEE AMENDMENT

\_\_\_\_\_

(Date)

I move to amend Senate Bill No. 2 by substituting the attached floor substitute (Request No. 1868) for the title, enacting clause and entire body of the measure.

Submitted by:

Grant Green  
Senator Green

I hereby grant permission for the floor substitute to be adopted.

Grant Green  
Senator Green, Chair (required)

Tom Woods  
Senator Woods

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Senator Boren

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Senator Dossett

Amy Frix  
Senator Frix

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Senator Jett

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Senator Paxton, President Pro Tempore

Scott Kern  
Senator Kern

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Senator McIntosh

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Senator Murdock

David Rader  
Senator Rader

Thompson  
Senator Thompson

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Senator Daniels, Majority Floor Leader

Note: Energy committee majority requires six (6) members' signatures.

Green-RD-FS-SB2  
3/24/2025 3:00 PM

(Floor Amendments Only)

Date and Time Filed: 3/24/25 4:25pm JD

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

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

3 FLOOR SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 2

By: Green, Thompson, and  
Seifried of the Senate

and

Pfeiffer of the House

6  
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8  
9 FLOOR SUBSTITUTE

10 An Act relating to wind energy facilities; amending  
11 17 O.S. 2021, Section 160.20, as amended by Section  
12 21, Chapter 126, O.S.L. 2023 (17 O.S. Supp. 2024,  
13 Section 160.20), which relates to setback  
14 requirements; providing setback requirements for  
15 certain wind energy facility towers from certain  
16 dwellings and property boundaries; updating statutory  
17 language; and providing an effective date.

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

19 SECTION 1. AMENDATORY 17 O.S. 2021, Section 160.20, as  
20 amended by Section 21, Chapter 126, O.S.L. 2023 (17 O.S. Supp. 2024,  
21 Section 160.20), is amended to read as follows:

22 Section 160.20. A. After August 21, 2015, no wind energy  
23 facility may be constructed if the base of any tower is located at a  
24 distance of less than:

1. One and one-half (1 1/2) nautical miles from the center line  
of any runway located on:

1 a. a public-use airport as defined in Section 120.2 of  
2 Title 3 of the Oklahoma Statutes, or

3 b. an airport owned by a municipality;

4 2. One and one-half (1 1/2) nautical miles from any public  
5 school which is a part of a public school district; or

6 3. One and one-half (1 1/2) nautical miles from a hospital.

7 B. On and after November 1, 2025, no wind energy facility may  
8 be constructed if the base of any tower is located at a distance of  
9 less than:

10 1. One-quarter (1/4) nautical mile from the nearest point on  
11 the outside wall of any residential dwelling; and

12 2. One-quarter (1/4) nautical mile from the nearest point of  
13 any nonparticipating property.

14 If a notice of commencement of construction of a wind energy  
15 facility is completed and filed with the Corporation Commission  
16 prior to November 1, 2025, with a date to commence construction at  
17 the location detailed in the notice on or before November 1, 2026,  
18 the setback provisions described in this subsection shall not apply  
19 to such facility.

20 C. Attestation of compliance with the setback requirements in  
21 this section shall be included in any reports required by the  
22 Corporation Commission. Stakeholder and landowner disputes arising  
23 under subsection A or B of this section shall fall under the  
24 exclusive jurisdiction of the district courts. The Corporation

1 Commission may seek enforcement of the submission and attestation  
2 requirements of this subsection and subsection ~~C~~ D of this section  
3 through its administrative court system.

4 ~~C~~ D. After April 3, 2018, construction or operation of a  
5 proposed individual wind turbine or any other individual structure  
6 requiring a Federal Aviation Administration (FAA) Form 7460-1 that  
7 is part of a wind energy facility shall not encroach upon or  
8 otherwise have a significant adverse impact on the mission,  
9 training, or operations of any military installation or branch of  
10 military as determined by the Military Aviation and Installation  
11 Assurance Siting Clearinghouse ~~(Clearinghouse)~~ and the FAA. Areas  
12 of impact include, but are not limited to, military training routes,  
13 drop zones, approaches to runways, and bombing ranges. No  
14 individual wind turbine or any other individual structure that  
15 requires a ~~a~~ an FAA 7460-1 form that is part of a wind energy facility  
16 may be constructed or expanded unless there is an active  
17 Determination of No Hazard from the FAA and adverse impacts to the  
18 United States Department of Defense, pursuant to Title 32 of the  
19 Code of Federal Regulations, Section 211.6, have been resolved as  
20 evidenced by documentation from the Clearinghouse for the individual  
21 wind turbine or other individual structure. The Mission  
22 Compatibility Certification Letter or successor form may serve as  
23 such evidence of adverse impacts being resolved with the Department  
24 of Defense or successor agency.

1           1. The Determination of No Hazard and documentation of the  
2 resolution of adverse impacts to the Department of Defense shall be  
3 filed with the Corporation Commission and the Oklahoma Department of  
4 Aerospace and Aeronautics.

5           2. The requirements established by this subsection shall not  
6 prohibit the construction of an individual wind turbine or any other  
7 individual structure requiring a an FAA 7460-1 form that is part of  
8 a wind energy facility if that individual wind turbine or other  
9 individual structure has received a Determination of No Hazard or  
10 mitigation plan on or before April 3, 2018.

11           3. The Corporation Commission is authorized to promulgate rules  
12 and regulations for the implementation of the provisions of this  
13 section and Section 160.21 of this title.

14           ~~D.~~ E. If an owner of a wind energy facility fails to submit an  
15 active Determination of No Hazard and documentation that adverse  
16 impacts to the Department of Defense have been resolved by the  
17 Clearinghouse for the individual wind turbine or other individual  
18 structure prior to the start of construction, the owner shall be  
19 subject to an administrative penalty not to exceed One Thousand Five  
20 Hundred Dollars (\$1,500.00) per day, per violation from the  
21 Corporation Commission as provided by law. In addition,  
22 stakeholders, including, but not limited to, the Corporation  
23 Commission or the Oklahoma Department of Aerospace and Aeronautics,  
24 may institute an action in any court of general jurisdiction to

1 prevent, restrain, correct, or abate any violation of subsection E D  
2 of this section other than Corporation Commission actions related to  
3 submissions or attestations.

4 SECTION 2. This act shall become effective November 1, 2025.

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6 60-1-1868 RD 3/24/2025 5:24:57 PM  
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