

HOUSE BILL No. 2367

By Committee on Energy and Environment

2-15

1 AN ACT concerning energy; relating to wind turbines, setback and siting
2 requirements.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) No wind facility or individual turbine capable of
6 generating more than 0.49 megawatts of electricity shall be constructed or
7 operated within this state unless such facility or turbine is situated no less
8 than: (1) 0.5 miles from the nearest occupied building; and

9 (2) 1.1 times the height of the turbine, including the blades, from the
10 nearest property line and public road right-of-way.

11 (b) As used in this section: (1) "Facility" means an electric generation
12 facility whose main purpose is to supply electricity, consisting of one or
13 more wind turbines and other accessory structures and buildings including
14 substations, meteorological towers, electrical infrastructure, transmission
15 lines and other appurtenant structures within the boundaries of the area to
16 be developed. "Facility" does not mean a stand-alone wind turbine
17 constructed primarily for residential or farm use.

18 (2) "Turbine" means a wind energy conversion system that converts
19 wind energy into electricity through the use of a wind turbine generator,
20 and includes the nacelle, rotor, tower and pad transformer, if any.

21 (c) The provisions of this section shall not apply to wind facilities or
22 turbines that were constructed and installed prior to July 1, 2013.

23 Sec. 2. This act shall take effect and be in force from and after its
24 publication in the statute book.