

**HB 3179 B STAFF MEASURE SUMMARY**  
**Senate Committee On Energy and Environment**

**Carrier:** Sen. Findley

**Action Date:** 05/18/23

**Action:** Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

**Vote:** 3-0-1-1

**Yeas:** 3 - Findley, Golden, Sollman

**Exc:** 1 - Lieber

**Abs:** 1 - Hayden

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

**Prepared By:** Beth Reiley, LPRO Analyst

**Meeting Dates:** 4/27, 5/2, 5/16, 5/18

**WHAT THE MEASURE DOES:**

Changes the maximum acreage of a solar photovoltaic power generation facility in the context of county planning, zoning, and housing codes, court orders for enforcement, public availability of federal regulations and code provisions, certain waste management statutes, and associated civil penalties from 160 to 240 acres when located on high-value farmland, from 1,280 to 2,560 acres when located on land that is predominately cultivated or, if not cultivated, is predominately composed of certain soils, and from 1,920 to 3,840 acres when located on any other land. Requires renewable energy facility that is solar photovoltaic power generating facility using newly authorized acreage limit under Act to provide decommissioning plan to accomplish restoration of site to useful, nonhazardous condition, which includes bonding or other security as financial assurance. Prohibits the Oregon Department of Transportation and the county court or board of county commissioners from discriminating against or favoring a renewable energy facility in reviewing or granting siting permits for such facilities to be built on the right of way of state highways or county roads.

**ISSUES DISCUSSED:**

- Decommissioning requirements
- Project examples
- County approval process
- Prior legislative efforts

**EFFECT OF AMENDMENT:**

Requires renewable energy facility that is solar photovoltaic power generating facility using newly authorized acreage limit under Act to provide decommissioning plan to accomplish restoration of site to useful, nonhazardous condition, which includes bonding or other security as financial assurance.

**BACKGROUND:**

Solar technology is a renewable energy source that harnesses radiant light and heat from the sun to generate electricity. Solar photovoltaic cells, which convert the energy of sunlight photons into electric current, are the most common type of this technology. In 2020, 2.89 percent of Oregon’s energy was generated via solar technology. Before a large energy facility is built in Oregon, a developer must apply for a site certificate from Oregon’s Energy Facility Siting Council.

House Bill 3179 B would change the maximum acreage for solar photovoltaic power generation facility siting, and prohibit the Oregon Department of Transportation, county courts, and boards of county commissioners from discriminating against or favoring a renewable energy facility in reviewing or granting siting permits for such facilities to be built on the right of way of state highways or county roads.