

## HOUSE AMENDMENTS TO HOUSE BILL 2375

By COMMITTEE ON CLIMATE, ENERGY, AND ENVIRONMENT

April 4

1 On page 1 of the printed bill, delete lines 4 through 29 and delete pages 2 and 3 and insert:

2 **“SECTION 1. (1) As used in this section:**

3 **“(a) ‘Hub height’ means the distance from the ground to the middle of a wind-powered**  
4 **turbine’s rotor.**

5 **“(b) ‘Light-mitigating technology system’ means a system approved by the Federal Avi-**  
6 **ation Administration that is capable of reducing the impact of obstruction lighting while**  
7 **maintaining conspicuity sufficient to assist aircraft in identifying and avoiding collision with**  
8 **a structure or facility.**

9 **“(c) ‘Maintenance’ means activities to keep a wind energy facility in an efficient operat-**  
10 **ing condition and that do not add to the value or extend the expected economic life or in-**  
11 **crease the nameplate capacity or energy output of the facility.**

12 **“(d) ‘Person’ means a developer, owner or operator.**

13 **“(e) ‘Repower’ means to replace all or substantially all of a wind energy facility for the**  
14 **purpose of extending the life of the facility, and the replacement is not part of routine**  
15 **maintenance.**

16 **“(f) ‘Wind energy facility’ means an electric power generating facility that is made up**  
17 **of five or more wind-powered turbines and one or more of the wind-powered turbines:**

18 **“(A) Are required under Federal Aviation Administration regulations to have obstruction**  
19 **lights; or**

20 **“(B) Have an obstruction light and a hub height that is 75 or more feet above the ground**  
21 **level.**

22 **“(2) A wind energy facility may not commence operations or, following repowering, re-**  
23 **commence operations unless the person developing or repowering the wind energy facility**  
24 **meets the requirements in subsection (3) of this section.**

25 **“(3)(a) A person developing or repowering a wind energy facility who receives from the**  
26 **Federal Aviation Administration a determination of no hazard to air navigation with regard**  
27 **to the wind energy facility shall apply to the administration and, if applicable, the Federal**  
28 **Communications Commission, for approval for the installation and use of light-mitigating**  
29 **technology systems for the wind energy facility’s wind-powered turbines.**

30 **“(b) If the administration issues a determination that the installation and use of a**  
31 **light-mitigation technology system is not a hazard to air navigation and, as applicable, the**  
32 **commission issues its approval, the person shall install and use light-mitigating technology**  
33 **systems on approved wind-powered turbines. The person shall install and begin using the**  
34 **light-mitigating technology systems:**

35 **“(A) Within 24 months from the date the administration issues its determination;**

1       **“(B) If applicable, within 24 months from the later of:**  
2       **“(i) The date the administration issues its determination; or**  
3       **“(ii) The date the commission issues its approval; or**  
4       **“(C) As soon as reasonably practicable after the date specified in subparagraph (A) or (B)**  
5 **of this paragraph if installation is delayed due to reasons outside of the person’s control.**  
6       **“(e) A person is not required to install or use a light-mitigating technology system on a**  
7 **wind-powered turbine if:**  
8       **“(A) The administration issues a determination that the installation or use of the light-**  
9 **mitigation technology system is a hazard to air navigation;**  
10       **“(B) The administration does not issue a determination within 12 months from the date**  
11 **the person submits the application to the administration;**  
12       **“(C) If applicable, the commission does not issue its approval for the installation and use**  
13 **of the light-mitigating technology system; or**  
14       **“(D) If applicable, the commission does not issue its approval within 12 months from the**  
15 **date the person submits the application to the commission.**  
16       **“(4) Nothing in this section shall require a person to carry out light mitigation in a**  
17 **manner that conflicts with an applicable federal law or regulation.**  
18       **“SECTION 2. The governing body of a county or city or its designee may not allow or**  
19 **permit a wind energy facility, as defined in section 1 of this 2025 Act, unless the person**  
20 **seeking to develop or repower the wind energy facility provides proof that the person is in**  
21 **compliance with the requirements in section 1 (3)(a) of this 2025 Act.**  
22       **“SECTION 3. Sections 1 and 2 of this 2025 Act apply to any wind energy facility, as de-**  
23 **defined in section 1 of this 2025 Act, for which a person applies, on or after January 1, 2028,**  
24 **to the Federal Aviation Administration for a determination of hazard or no hazard to air**  
25 **navigation with regard to the wind energy facility.”.**  
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