

2025 Regular Session

HOUSE BILL NO. 615

BY REPRESENTATIVE GEYMAN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ENERGY/SOLAR: Provides for the regulation of solar facilities

AN ACT

To amend and reenact R.S. 9:1255(B) and (C), to enact Parts I and II of Chapter 12 of Subtitle I of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:1121 through 1127, and 1141, and to repeal Chapter 12-A of Subtitle I of Title 30 of the Louisiana Revised Statutes of 1950, comprised of R.S. 30:1151 through 1159, relative to renewable energy development; to provide definitions; to provide for purpose; to provide for state and local jurisdiction and authority; to provide for residential use of solar panels; to provide for notice and public participation; to require permitting of solar power generation facilities; to provide for the powers and duties of the Department of Energy and Natural Resources, the Department of Wildlife and Fisheries, and the Department of Agriculture and Forestry; to authorize administrative rulemaking; to establish permit requirements; to require letters of clearance regarding impacts on natural and agricultural resources; to provide for financial security and decommissioning plans; to provide exceptions for facilities within industrial zones and Louisiana Economic Development certified sites; to provide for pre-existing facilities; to establish siting standards with setbacks, vegetative buffers, and noise level limits; to establish a procedure for siting waivers; to provide for local approval of certain plans; to prohibit chemical spraying and concentrating thermal technology; to prohibit solar development by foreign adversaries; and to provide for related matters.

1 Be it enacted by the Legislature of Louisiana:

2 Section 1. R.S. 9:1255(B) and (C) are hereby amended and reenacted to read as
3 follows:

4 §1255. Solar collectors; right of use

5 * * *

6 B. No person or entity shall unreasonably restrict the right of a property
7 owner to install or use a solar collector for residential purposes.

8 C. The provisions of this Section shall not supersede zoning restrictions,
9 servitudes as provided by Civil Code Article 697 et seq., ~~or~~ building restrictions, as
10 provided by Civil Code Article 775 et seq., or Chapter 12 of Subtitle I of Title 30 of
11 the Louisiana Revised Statutes of 1950, which require approval or permitting prior
12 to the installation or use of solar collectors.

13 * * *

14 Section 2. Parts I and II of Chapter 12 of Subtitle I of Title 30 of the Louisiana
15 Revised Statutes of 1950, comprised of R.S. 30:1121 through 1127, and 1141 are hereby
16 enacted to read as follows:

17 CHAPTER 12. RENEWABLE ENERGY DEVELOPMENT

18 PART I. SOLAR POWER GENERATION FACILITIES

19 §1121. Definitions

20 As used in this Part:

21 (1) "Nonparticipating" means not owned by a facility operator or not having
22 a contractual agreement with a facility operator authorizing the use of one's property
23 for activities related to the development of solar energy on one's property.

24 (2) "Salvage value" means the actual or estimated scrap value of the raw
25 materials once removed from the facility and ready for sale.

26 (3) "Solar device" means the equipment associated with the collection,
27 transfer, distribution, storage, and control of solar energy, including solar energy
28 collectors or solar energy systems that provide for the collection of solar energy or
29 the subsequent use of that energy as thermal, mechanical, or electrical energy.

1 (4) "Solar power generation facility" or "facility" means one or more solar
2 devices and any installation or equipment used to support the operation of the solar
3 devices, including any underground or above-ground electrical transmission or
4 communications lines located within the footprint of the facility, electric
5 transformers and inverters, battery storage, energy storage, telecommunications
6 equipment, roads, meteorological towers, and maintenance yards.

7 §1122. Purpose

8 It is the public policy of Louisiana and the purpose of this Part to provide for
9 a coordinated statewide program and comprehensive set of standards for the
10 regulation of large-scale solar energy development in order to balance the state's
11 energy needs and economic development with the state's constitutional responsibility
12 to protect, conserve, and replenish the natural resources of the state and the healthful,
13 scenic, historic, and esthetic quality of the environment consistent with the health,
14 safety, and welfare of the people.

15 §1123. Jurisdiction; authority of the department, local governing authorities

16 A.(1) The secretary of the Department of Energy and Natural Resources
17 shall have jurisdiction over all persons and property, and shall have the authority to
18 perform all acts, necessary to enforce the provisions of this Part and any rules
19 adopted pursuant to this Part.

20 (2) The secretary shall promulgate any rules necessary to implement the
21 provisions of this Part, including rules for the required financial security, permitting,
22 siting, and decommissioning of facilities.

23 B.(1) Nothing in this Part shall be construed to relieve solar power
24 generation facilities from complying with the general laws of a parish, such as
25 comprehensive plans and zoning, land use planning, historical preservation, and
26 nuisance regulations. Parishes may also enact and enforce any regulatory provisions
27 regarding solar power generation facilities that are more stringent than the standards
28 provided in this Part.

1 (2) In addition to the authority recognized in Paragraph (1) of this
2 Subsection, parishes are authorized to enact and enforce regulatory provisions
3 regarding solar power generation facilities that fall within the subject matter of R.S.
4 30:1126(C) and any other subject on which this Part and the administrative rules
5 promulgated thereunder are silent.

6 §1124. Notice and public participation

7 A. Sixty days prior to submitting a permit application with the department,
8 an applicant shall provide written notice by certified mail to the following parties,
9 which shall include a description, map, and preliminary site plan of the proposed
10 facility and contact information for the applicant:

11 (1) The governing authority of each parish in which the facility is proposed
12 to be located.

13 (2) Each member of the Legislature of Louisiana who represents a district
14 in which the proposed facility is to be located.

15 (3) All adjoining property owners of the proposed site of the facility.

16 B. Prior to the issuance of a permit, the department shall hold at least one
17 public hearing in each parish in which a facility is proposed to be located.

18 (1) The applicant shall cause public notice to be published on three separate
19 days within a period of thirty days prior to the meeting, with at least five days
20 between each publication. This notice shall be published in the official state journal
21 and in the official journal of any parish in which the facility is to be located. In
22 addition, the applicant shall place an advertisement in the same newspapers, not in
23 the classified advertisements or public notices sections, which shall be no less than
24 one-half page in size and printed in bold face type.

25 (2) The notices required by this Subsection shall inform the public that
26 application for a permit has been made for a new solar energy generation facility and
27 that a public hearing will be held at which all interested persons are entitled to attend
28 and to present their views and which shall state the date, time, and place at which the
29 meeting will be held, the name of the applicant, the location of the proposed facility,

1 a statement that comments may be sent to the department prior to the public meeting,
2 and the manner in which comments may be submitted.

3 C. As a prerequisite to submitting a permit application, the applicant shall
4 provide the department with proof of the notices required by this Section.

5 §1125. Permitting

6 A. No person shall construct, install, or operate a solar power generation
7 facility with a footprint of ten or more acres without holding a permit issued by the
8 department pursuant to this Part. The following shall be required for a permit
9 application:

10 (1) A decommissioning plan for the facility that includes plans for site
11 closure at the end of the life of the facility, site closure in the event of a disaster
12 making operation of the power generation facility impossible, and post-closure site
13 restoration.

14 (a) The decommissioning plan shall be updated every three years after the
15 initial submission. All submitted plans shall include any site restoration conditions
16 imposed by letters of clearance pursuant to this Section.

17 (b) The decommissioning plan shall be reviewed for sufficiency by the
18 department and must be approved by the secretary prior to the issuance of a permit.

19 (2) Financial security in the form of performance bonds, irrevocable letters
20 of credit, cash payments, or a combination thereof, in an amount determined by the
21 secretary to adequately mitigate the risks associated with abandonment of projects
22 and noncompliance with applicable law, contractual agreements, and permitting that
23 may result in environmental damage and to ensure that proper site closure,
24 decommissioning, and restoration may be achieved by the department if necessary.

25 (a) Any bond shall be executed by the permittee and a corporate surety
26 licensed to do business in the state. Any bond or other instrument shall be payable
27 to the Department of Energy and Natural Resources, except the secretary may accept
28 any financial security provided to the landowner or lessor for facilities exempted
29 from permit fees pursuant to Subsection C of this Section.

1 **(b) In determining the adequacy of the amount or other specific requirements**
2 **of the financial security, the secretary shall consider the following:**

3 **(i) The assets, debts, and compliance history of the applicant or permittee.**

4 **(ii) The condition and capacity of the facilities to be covered by such**
5 **security.**

6 **(iii) The estimated cost of site closure and remediation, including the**
7 **estimated cost of removing the solar power generation facility and associated**
8 **infrastructure from the property, proper disposal of all facility components, and**
9 **restoring the property to as near as reasonably possible to the condition of the**
10 **property prior to the commencement of construction of the facility. The estimate**
11 **shall not take into account the salvage value of the facility or its associated**
12 **infrastructure, components, or materials.**

13 **(iv) The secretary shall adjust the estimated cost based upon any updated**
14 **decommissioning plan submitted pursuant to Paragraph (A)(1) of this Section. Any**
15 **increase in the amount of financial security required shall be secured by the permit**
16 **holder within thirty days of notification of the increase.**

17 **(c) If a solar power generation facility is sold or otherwise transferred, the**
18 **secretary shall not release the bond or other financial security of the seller or**
19 **transferor until the buyer or transferee provides a bond or other acceptable financial**
20 **security in accordance with the provisions of this Section.**

21 **(d) The financial security required by this Paragraph shall not apply to the**
22 **following solar power generation facilities which are owned by an electric utility**
23 **provider regulated by the Public Service Commission or the council of the city of**
24 **New Orleans:**

25 **(i) Facilities located on land owned by the electric utility provider and the**
26 **provider is capable of demonstrating a decommissioning plan to the regulator.**

27 **(ii) Facilities located on land leased by the electric utility provider and that**
28 **meet both of the following conditions:**

1 ~~(aa) The regulated electric utility provider guarantees to the landowner or~~
2 ~~lessor that the regulated electric utility provider will pay the cost of the~~
3 ~~decommissioning plan required by this Section and the guarantee is acceptable to the~~
4 ~~secretary.~~

5 ~~(bb) The lease between the landowner or lessor and the regulated electric~~
6 ~~utility provider provides for site decommissioning at the end of the facility's life, at~~
7 ~~the termination of the lease, as determined by a court of competent jurisdiction, and~~
8 ~~upon other circumstances that require closure of the facility.~~

9 ~~(3) A letter of clearance from the Department of Wildlife and Fisheries.~~

10 ~~(a) A permit applicant shall request a review of the proposed site and design~~
11 ~~plans by the Department of Wildlife and Fisheries. The request may be made prior~~
12 ~~to submitting a permit application with the Department of Energy and Natural~~
13 ~~Resources or at the same time the permit application is submitted.~~

14 ~~(b) Upon receipt of the applicant's request for review, the Department of~~
15 ~~Wildlife and Fisheries shall assess the proposed site and design plans for potential~~
16 ~~impacts on the state's natural resources and within thirty days provide an initial~~
17 ~~report of its findings to the applicant and the Department of Energy and Natural~~
18 ~~Resources. If modification of the site plans is recommended by the Department of~~
19 ~~Wildlife and Fisheries based on these findings, the applicant may work with the~~
20 ~~department to identify alternative modifications to the site plans or alternative sites~~
21 ~~acceptable to all parties.~~

22 ~~(c) A letter of clearance shall only be issued if the proposed site, with or~~
23 ~~without modification, would not cause unreasonable or irreparable harm to critical~~
24 ~~or protected natural habitat or species. The secretary of the Department of Wildlife~~
25 ~~and Fisheries shall make a final determination on whether a letter of clearance may~~
26 ~~be issued for the proposed site and provide both the applicant and the Department of~~
27 ~~Energy and Natural Resources with a letter of clearance, with or without required site~~
28 ~~modifications or mitigation measures, or a denial of clearance no later than sixty~~
29 ~~days following the applicant's request for review. Any conditions imposed by the~~

1 secretary in a letter of clearance shall be considered conditions of that facility's
2 permit.

3 (d) In order to effectively carry out the provisions of this Paragraph, the
4 Department of Wildlife and Fisheries is authorized to do any of the following:

5 (i) Designate portions of the proposed site that may not be disturbed due to
6 the presence of protected habitat or species.

7 (ii) Utilize and consider any data available to the department to identify
8 reported species and historical uses, which may include a five year lookback
9 window.

10 (iii) Impose modifications to the site plan, such as requiring the use of
11 wildlife fencing or the addition of wildlife corridors.

12 (iv) Impose requirements related to restoration of the site post-closure and
13 decommissioning.

14 (v) Impose any other measure deemed necessary to effectively mitigate
15 against the loss of natural resources of the state and offer assistance with identifying
16 alternative sites with less impact on natural resources.

17 (vi) Promulgate any rules deemed necessary or useful to implement the
18 provisions of this Paragraph.

19 (4) A letter of clearance from the Department of Agriculture and Forestry.

20 (a) A permit applicant shall request a review by the Department of
21 Agriculture and Forestry of the proposed site and design plans. The request may be
22 made prior to submitting a permit application with the Department of Energy and
23 Natural Resources or at the same time the permit application is submitted.

24 (b) Upon receipt of the applicant's request for review, the department shall
25 assess the proposed site and design plans for potential impacts on the state's
26 agricultural resources and within thirty days provide an initial report of its findings
27 to the applicant and the Department of Energy and Natural Resources. If
28 modification of the site plans are recommended based on these findings, the

1 applicant may work with the department to identify alternative modifications to the
2 site plans or alternative sites acceptable to all parties.

3 (c) A letter of clearance shall only be issued by the department if the
4 proposed site, with or without modification, would not cause an unreasonable or
5 unnecessary loss of agriculturally significant resources or have a detrimental impact
6 on a particular region or industry of the state. The department shall make a final
7 determination on whether a letter of clearance may be issued for the proposed site
8 and provide both the applicant and the Department of Energy and Natural Resources
9 with either a denial of clearance or a letter of clearance, with or without required site
10 modifications and mitigation measures, no later than sixty days following the
11 applicant's request for review. Any conditions imposed by a letter of clearance shall
12 be considered conditions of that facility's permit.

13 (d) In order to effectively carry out the provisions of this Paragraph, the
14 Department of Agriculture and Forestry shall be authorized to:

15 (i) Determine whether the proposed site would utilize high value agricultural
16 lands, farmlands of local importance, or lands the conversion of which would have
17 a detrimental impact on the economy.

18 (ii) Determine whether the proposed site is located on the least agriculturally
19 productive portions of the proposed site and whether practicable alternatives exist
20 or have been considered.

21 (iii) Impose modifications to the site plan to mitigate against the impact on
22 wildlife and pollinator habitat.

23 (iv) Require sustainable land use practices, soil and water conservation
24 practices, and agricultural impact assessments.

25 (v) Impose requirements related to restoration of the site post-closure and
26 decommissioning.

27 (vi) Impose any other measure deemed necessary to effectively mitigate
28 against the loss of high value agricultural lands and harm to neighboring agricultural
29 resources.

1 (vii) Promulgate any rules deemed necessary or useful to implement the
2 provisions of this Paragraph.

3 B. A solar power generation facility with a footprint of ten or more acres
4 which is wholly contained within an industrial zone or a Louisiana Economic
5 Development certified site shall not be subject to the letter of clearance requirements
6 of Paragraphs (A)(3) and (4) of this Section.

7 C.(1) In addition to other requirements for the issuance of a permit, the
8 department shall collect the following fees:

9 (a) An application fee not to exceed fifteen dollars per acre of the solar
10 power generation facility footprint.

11 (b) An application processing fee not to exceed five hundred dollars for the
12 entire project.

13 (c) An annual monitoring and maintenance fee beginning the year after
14 issuance of the permit and every year thereafter not to exceed fifteen dollars per acre
15 of the facility footprint.

16 (d) Notwithstanding the provisions of this Paragraph, no applicant or permit
17 holder shall be charged a fee that exceeds the department's budgeted costs of
18 implementing and administering the provisions of this Section for the fiscal year in
19 which the fee is charged.

20 (2) Any solar power generation facility that was certified by the Public
21 Service Commission or the council of the city of New Orleans on or before August
22 2, 2022, shall be exempt from the fees provided for in this Subsection, but shall
23 register with the department and shall comply with the requirements of this Part and
24 any rules promulgated pursuant to this Part.

25 (3) All of the monies collected from the fees provided for in this Subsection
26 shall be deposited in the Mineral and Energy Operation Fund.

27 D. Certification of compliance with all applicable local laws. The applicant
28 shall certify in writing and prepare a report for the department that details each local
29 law applicable to the facility and how the facility has complied or plans to comply

1 with each. This report shall be submitted to the department and to the parish
2 governing authority or authorities where the facility is to be located and the
3 department shall obtain verification of the assertions in the report, to the extent
4 possible, with each such governing authority.

5 E. The secretary shall require any solar power generation facilities
6 constructed after September 1, 2024, to come into compliance with the provisions
7 of this Section by August 1, 2027. The secretary shall require any solar power
8 generation facility constructed prior to September 1, 2024, to come into compliance
9 with this Section to the extent practicable.

10 §1126. Facility siting

11 A. Any solar power generation facility with a footprint of ten acres or more
12 which is not located wholly within an industrial-zoned area or a Louisiana Economic
13 Development certified site shall comply with the standards set forth in this
14 Subsection.

15 (1) There shall be a buffer around the perimeter of each facility that includes
16 setbacks and a vegetative barrier to screen the facility from view. The vegetative
17 barrier shall be comprised of native vegetation, shall ensure an opaque visual barrier
18 year round, and shall be designed to conceal the development from view from
19 adjoining properties. Existing vegetation on-site may be retained undisturbed in
20 satisfaction of the vegetative barrier requirement if it otherwise meets the applicable
21 depth requirement and creates a continuous, opaque visual barrier.

22 (a) For nonparticipating residential property, one of the following shall be
23 used:

24 (i) A one mile setback from the residential property line to the nearest solar
25 device and a one hundred foot deep vegetative barrier.

26 (ii) Alternatively, the owner of residential property to which the setback
27 would apply and the facility operator may agree in writing to use the following
28 compensation model instead of the setback. If the setback to be removed would
29 apply to more than one residential property, all such adjoining residential property

owners must agree to use this model instead of the setback. Use of the compensation model pursuant to this Subparagraph would remove the requirement for the setback only; the one hundred foot vegetative barrier would still be applicable.

(aa) The amount of compensation due to the property owner shall be an amount no less than the value of the residential property multiplied by a distance factor.

(bb) The residential property value shall be provided by a licensed appraiser and obtained at the expense of the facility.

(cc) The distance factor shall be based on the following table, using the distance from the property line to the nearest solar device:

Distance from property line to nearest solar device	Distance factor
Less than or equal to 0.1 miles	0.077
More than 0.1 and less than or equal to 0.2 miles	0.060
More than 0.2 and less than or equal to 0.3 miles	0.047
More than 0.3 and less than or equal to 0.4 miles	0.037
More than 0.4 and less than or equal to 0.5 miles	0.029
More than 0.5 and less than or equal to 0.6 miles	0.023
More than 0.6 and less than or equal to 0.7 miles	0.018
More than 0.7 and less than or equal to 0.8 miles	0.014
More than 0.8 and less than or equal to 0.9 miles	0.011
More than 0.9 and less than or equal to 1 miles	0.009

(b) For nonresidential adjacent property and public roads, one of the following buffers shall be used:

(i) A two hundred foot setback from the property line or the center of the roadway to the nearest solar device with a fifty foot deep vegetative barrier.

(ii) Alternatively, the facility may opt to use a one hundred foot vegetative barrier without any setback.

(c) For natural and navigable water bodies, a one hundred foot deep vegetative barrier is required.

(d) For drainage canals and ditches, a fifty foot setback from the bank with no vegetation.

1 (2) Noise levels at the property line of the facility shall not exceed the
2 ambient A-weighted decibels (dbA) present at the property line prior to operation of
3 the facility and in no event greater than 45 dbA.

4 B. A parish governing authority may obtain a waiver from the buffer
5 requirements of Subsection A of this Section as it applies to an individual facility
6 within their parish if, after all adjoining property owners and the facility have agreed
7 in writing to the proposed waiver, the governing authority presents the facts and
8 circumstances before a joint meeting of the House and Senate natural resources
9 committees and obtains approval from each committee. If the facility is located in
10 more than one parish, each parish may only obtain a waiver for the siting
11 requirements in their own parish, rather than obtaining a waiver applicable to the
12 whole facility. Any parish seeking a waiver pursuant to this Subsection shall provide
13 written notice of the legislative meeting to members of the legislature in whose
14 district the facility is located and all adjoining property owners and residents.

15 C.(1) Activities related to site preparation and construction; drainage, runoff,
16 and erosion control; the composition and maintenance of the vegetative barrier
17 required pursuant to this Section or other more stringent local law; and facility
18 lighting, signage, maintenance, and general upkeep may be regulated by a parish
19 governing authority.

20 (2) In the absence of parish regulations provided for in Paragraph (1) of this
21 Subsection, any facility with a footprint of ten acres or more which is not located
22 wholly within an industrial-zoned area or a Louisiana Economic Development
23 certified site shall submit the following plans to the parish governing authority where
24 the proposed site is to be located and obtain the approval of the governing authority
25 before construction can begin. The parish governing authority may delegate
26 approval of any of the plans required by this Paragraph to an appropriate subdivision
27 of local government in accordance with parish ordinances. The parish governing
28 authority shall vote on the approval of these plans at a regularly scheduled public
29 meeting and thereafter provide the department with notice of the parish's decision.

1 (a) Plans for site preparation, including any grading or leveling, erosion
2 control, and sediment runoff.

3 (b) Drainage and storm water runoff plans.

4 (c) Landscaping plans for the vegetative barrier required pursuant to
5 Subsection A of this Section.

6 (d) Site maintenance plans.

7 D. The secretary shall require any solar power generation facilities
8 constructed after September 1, 2024, to come into compliance with the provisions
9 of this Section by August 1, 2027. The secretary shall require any solar power
10 generation facility constructed prior to September 1, 2024, to come into compliance
11 with this Section to the extent practicable.

12 §1127. Prohibitions

13 The following activities related to solar energy development are prohibited
14 in this state:

15 (1) The use of chemical spraying for maintenance of solar power generation
16 facility sites is prohibited unless a specific plan for such use is approved by both the
17 commissioner of agriculture and forestry and the governing authority for any parish
18 in which the site is located.

19 (2) The use of concentrating solar-thermal power technologies that use
20 lenses or mirrors to concentrate large amounts of sunlight into thermal energy.

21 (3) The purchase, lease, or other contractual agreement authorizing the use
22 of agricultural lands for solar development by foreign adversaries or prohibited
23 foreign actors. This prohibition shall be governed by the provisions of R.S. 3:3613
24 et seq.

25 PART II. RENEWABLE ENERGY STORAGE

26 §1141. Battery and electrical storage devices

27 A. No battery or other electrical storage device shall be constructed,
28 installed, or operated in Louisiana without a permit from the department.

1 B. No permit for energy storage may be issued without proof of financial
2 security and a decommissioning plan approved by the department.

3 C. The secretary is authorized to promulgate any rules deemed necessary or
4 useful for the implementation of this Part.

5 Section 3. Chapter 12-A of Subtitle I of Title 30 of the Louisiana Revised Statutes
6 of 1950, comprised of R.S. 30:1151 through 1159, is hereby repealed in its entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 615 Engrossed

2025 Regular Session

Geymann

Abstract: Establishes notice, permitting, and siting requirements for solar power generation facilities with a footprint of 10 acres or more.

Proposed law provides definitions.

Proposed law provides for the jurisdiction and authority of the Dept. of Energy and Natural Resources over the regulation of solar power generation facilities and requires the promulgation of rules to implement proposed law.

Proposed law authorizes parish governing authorities to enact and enforce regulations more strict than the permitting and siting requirements in proposed law and provides that facilities must comply with all general regulations of parishes.

Proposed law requires notice to parish governments, legislators, and adjoining property owners prior to the submission of a permit application.

Proposed law requires a public meeting prior to the issuance of a permit and requires the applicant to provide public notice regarding the meeting.

Proposed law requires a permit from the Dept. of Energy and Natural Resources to operate a solar power generation facility with a footprint of 10 acres or more. Permit application requirements include:

- (1) Proof of compliance with notice requirements.
- (2) A decommissioning plan.
- (3) Financial security approved by the secretary.
- (4) A letter of clearance from the Dept. of Wildlife and Fisheries.
- (5) A letter of clearance from the Dept. of Agriculture and Forestry.
- (6) Certification of compliance with applicable local laws.

Proposed law exempts facilities located in industrial zoned areas and on La. Economic Development certified sites from obtaining the letters of clearance from the Dept. of Wildlife and Fisheries and the Dept. of Agriculture and Forestry.

Present law establishes fees for solar permit applicants and exceptions to these fee requirements.

Proposed law retains present law.

Proposed law establishes siting requirements for facilities over 10 acres that are not on certified sites or in industrial zones, including setbacks and vegetative barriers applicable to adjoining properties, roadways, and waterways.

Proposed law allows residential property owners and facilities to agree to use a compensation model provided by proposed law instead of complying with the setback requirement.

Proposed law provides a limit for noise levels at the property line of the facility.

Proposed law provides a process for parishes to obtain a waiver from siting requirements from the House and Senate natural resources committees.

Proposed law specifically authorizes local government to regulate the following:

- (1) Site preparation and construction.
- (2) Drainage, runoff, and erosion control.
- (3) Composition and maintenance of vegetative barriers.
- (4) Facility lighting, signage, maintenance, and general upkeep.

Proposed law provides a default process in the absence of local regulation of these topics, requiring the facility to obtain approval from the appropriate parish governing authority for the following:

- (1) Plans for site preparation, including any grading or leveling, erosion control, and sediment runoff.
- (2) Drainage and storm water runoff plans.
- (3) Landscaping plans for the vegetative barrier.
- (4) Site maintenance plans.

Proposed law prohibits the following:

- (1) Chemical spraying to maintain facility sites, unless approved by the Commissioner of Agriculture and the appropriate parish governing authority.
- (2) Concentrating solar-thermal power technologies.
- (3) The purchase or use of property for solar energy development by foreign adversaries.

Proposed law requires solar facilities constructed prior to September 1, 2024, to come into compliance with proposed law by August 1, 2027, and requires solar facilities constructed prior to September 1, 2024, to come into compliance with proposed law to the extent practicable.

Proposed law requires a permit, financial security, and a decommissioning plan for the use of battery or other electrical storage for renewable energy and authorizes the Dept. of Energy and Natural Resources to promulgate rules for same.

Present law establishes a program within the Department of Energy and Natural Resources for research and development in solar energy and the technology of siting facilities, including participation in large-scale demonstrations of alternative energy systems and improving methods for the construction, design, and operation of solar facilities.

Proposed law repeals present law.

(Amends R.S. 9:1255(B) and (C); Adds R.S. 30:1121-1127 and 1141; Repeals R.S. 30:1151-1159)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill:

1. Change the vegetative barrier requirement by removing the requirement that evergreen trees be included, to add that the barrier be opaque, and adds an option to retain existing vegetation on site if it otherwise meets the vegetative barrier requirements.
2. Change the buffer applicable to natural and navigable waterways from a 500 foot setback with a 200 foot vegetative barrier to a 100 foot vegetative barrier only.
3. Change the requirement that all existing facilities come into compliance with the new law by August 1, 2027, to a requirement that all facilities constructed after September 1, 2024, come into compliance with the new law by August 1, 2027, and that facilities constructed prior to September 1, 2024, will be required to come into compliance with the new laws only to the extent practicable.
4. Make technical changes.