2025 Regular Session

HOUSE BILL NO. 459

BY REPRESENTATIVE COATES

1 AN ACT

2 To enact Chapter 12 of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised

3 of R.S. 30:1131 and 1141 through 1145, relative to renewable energy development;

4 to require certain permits for renewable energy producers; to provide for the

5 promulgation and adoption of rules and regulations; to exclude residential properties;

6 to define the term "onshore"; to provide for solar power generation facilities; to

7 provide for jurisdiction and authority; to provide for permitting; to provide for

8 facility siting; to provide for prohibitions; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Chapter 12 of Title 30 of the Louisiana Revised Statutes of 1950,

11 comprised of R.S. 30:1131 and 1141 through 1145, is hereby enacted to read as follows:

12 CHAPTER 12. RENEWABLE ENERGY

13 PART I. BATTERIES

14 §1131. Permits for renewable energy batteries

15 A. No battery used for renewable energy storage facilities shall be installed

16 without the operator first obtaining a permit for installation from the Department of

17 Energy and Natural Resources.

18 B. No permit shall be issued without proof of financial security and a

19 decommissioning plan.

20 C. The secretary shall promulgate and adopt such rules and regulations as are

21 necessary to implement this Section by August 31, 2026.

1   D. Nothing in this Section shall be construed to apply to renewable energy

2   storage for residential property use.

3   PART II. WIND ENERGY

4   §1141. Permits for wind energy

5   A. No onshore wind project shall be constructed or completed without a

6   permit issued by the Department of Energy and Natural Resources.

7   B. No permit shall be issued without proof of financial security and a

8   decommissioning plan.

9   C. The secretary shall promulgate and adopt such rules and regulations as are

10   necessary to implement this Section by August 31, 2026.

11   D. Nothing in this Section shall be construed to apply to wind projects for

12   residential property use.

13   E. As used in this Part, "onshore" shall mean land-based wind turbines and

14   those that are located on inland water bodies.

15   PART III. SOLAR POWER GENERATION FACILITIES

16   §1142. Jurisdiction; authority of the department, local governing authorities

17   A. The secretary of the Department of Energy and Natural Resources shall

18   have jurisdiction over all persons and property, and shall have the authority to

19   perform all acts necessary to enforce the provisions of this Part and any rules adopted

20   pursuant to this Part.

21   B. Any parish that has adopted solar ordinances may by resolution opt out

22   of the siting requirements of this Part. Upon submission of such resolution so passed

23   to the department, the siting standards of this Part shall not apply to that parish.

24   §1143. Permitting

25   A. No person shall construct, install, or operate a solar power generation

26   facility with a footprint of seventy-five or more acres without holding a permit issued

27   by the department pursuant to this Part.

28   B. The Department of Agriculture and Forestry and the Department of

29   Wildlife and Fisheries may submit comments regarding construction, installation,

30   and operation of any power generation facility to the department.

1   §1144. Facility siting

2   A. Any solar power generation facility with a footprint of seventy-five acres

3   or more which is not located wholly within an industrial-zoned area or a Louisiana

4   Economic Development certified site shall comply with the standards set forth in this

5   Section.

6   B.   There shall be a buffer around the perimeter of each solar power

7   generation facility that includes setbacks and a vegetative barrier to screen the

8   facility from view. The vegetative barrier shall be comprised of native vegetation,

9   shall ensure an opaque visual barrier year round, and shall be designed to conceal the

10   development from view from adjoining properties. Stamped landscape plans by a

11   licensed landscape architect or landscape horticulturalist shall be required for

12   permitting. Existing vegetation on-site may be retained undisturbed in satisfaction

13   of the vegetative barrier requirement if it otherwise meets the requirements of this

14   Section.

15   (1) For residential property, unless provided otherwise by written agreement

16   between the property owner and the facility operator, there shall be a three hundred

17   foot setback from the residential property line to the nearest solar device, with one

18   of the following:

19   (a)   A thirty-five foot deep vegetative barrier composed of new plant

20   material.

21   (b) A fifty foot deep vegetative barrier composed of natural plant material.

22   (2) For natural and navigable water bodies, there shall be a one hundred foot

23   setback from the ordinary low water mark to the nearest solar device.

24   (3) For public roads, there shall be a fifty foot setback from the edge of the

25   paved road surface to the nearest solar device, with a thirty-five foot vegetative

26   barrier.

27   C. Noise levels at the property line of the facility shall not exceed ten A-

28   weighted decibels (dbA) above the ambient noise level present at the property line

29   prior to operation of the facility.

1   D. The provisions of this Section shall apply to any solar power generation

2   facility for which construction begins after January 1, 2026.

3   §1145. Prohibitions

4   Any chemical that is not approved for agricultural application shall not be

5   sprayed for maintenance of a solar power generation facility site.

6   Section 2. The provisions of this Act shall not apply to one wind turbine on property

7   leased on or before June 30, 2024, for the purpose of installation and operation of a single

8   wind turbine and the corresponding instrumentation system required to monitor energy

9   operations and maintenance.

_____
SPEAKER OF THE HOUSE OF REPRESENTATIVES

_____
PRESIDENT OF THE SENATE

_____
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored
are additions.