

1-1 By: Springer S.B. No. 1003
 1-2 (In the Senate - Filed March 4, 2021; March 18, 2021, read
 1-3 first time and referred to Committee on Business & Commerce;
 1-4 May 12, 2021, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 5, Nays 1; May 12, 2021,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13		X		
1-14			X	
1-15	X			
1-16	X			
1-17			X	

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1003 By: Hancock

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to siting requirements for the construction of a wind
 1-22 turbine.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Title 6, Utilities Code, is amended by adding
 1-25 Chapter 302 to read as follows:

1-26 CHAPTER 302. WIND TURBINE SITING

1-27 Sec. 302.0001. SITING. (a) A person may not construct at a
 1-28 site a wind turbine for electric generation unless the site
 1-29 complies with the minimum setback requirements provided by this
 1-30 section.

1-31 (b) The minimum setback for a wind turbine is 3,000 feet
 1-32 measured from the property line of each property that borders the
 1-33 property on which the site is located.

1-34 (c) The setback distance described by Subsection (b) must be
 1-35 measured as a straight line from the vertical centerline of the
 1-36 proposed wind turbine to the nearest point on the property line.

1-37 (d) This section does not create an offense.

1-38 Sec. 302.0002. SITING WAIVER. (a) A person may begin
 1-39 construction of a wind turbine at a site that does not comply with
 1-40 the requirements of Section 302.0001 if the person obtains a
 1-41 signed, written waiver from the owner of the property that is the
 1-42 source of the noncompliance.

1-43 (b) A waiver may not be made effective for a period of more
 1-44 than one year after the date the owner signs the waiver. A waiver
 1-45 may be retroactive for any period of time.

1-46 Sec. 302.0003. INJUNCTION. (a) A county or district court
 1-47 by injunction may prevent, restrain, abate, or otherwise remedy a
 1-48 violation of this chapter.

1-49 (b) A person affected or who may be affected by a violation
 1-50 or threatened violation of this chapter may bring suit under
 1-51 Subsection (a).

1-52 SECTION 2. Chapter 302, Utilities Code, as added by this
 1-53 Act, applies only to a wind turbine the construction of which begins
 1-54 on or after the effective date of this Act. Construction of a wind
 1-55 turbine that began before the effective date of this Act is governed
 1-56 by the law as it existed immediately before the effective date of
 1-57 this Act, and the former law is continued in effect for that
 1-58 purpose.

1-59 SECTION 3. This Act takes effect September 1, 2021.

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