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HOUSE BILL NO. 389

INTRODUCED BY B. LER, S. KLAKKEN, J. KASSMIER

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR SETBACKS FOR WIND TURBINE GENERATORS."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Required setback for wind turbine generators.** After [the effective date of this act], a wind turbine generator built pursuant to a wind energy agreement as described in 70-17-406 may not be constructed if the base of the tower is located at a distance less than:

- (1) 1,250 feet from the property line of any real property subject to a wind energy agreement as described in 70-17-406 with the owner of the wind turbine generator;
- (2) 3,000 feet from public roads and highways of this state as defined in 15-70-401;
- (3) 7,920 feet from the property line of any real property not subject to a wind energy agreement as described in 70-17-406 with the owner of the wind turbine generator.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as a new part in Title 75, chapter 26, and the provisions of Title 75, chapter 26, apply to [section 1].

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