

SENATE BILL NO. 111

INTRODUCED BY D. ANKNEY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT AN OWNER OR OPERATOR OF A WIND GENERATION FACILITY IS SUBJECT TO CERTAIN IMPACT FEES EACH YEAR FOR THE FIRST 3 YEARS AFTER CONSTRUCTION OF THE FACILITY; AMENDING SECTION 15-24-3004, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 15-24-3004, MCA, is amended to read:

"15-24-3004. Wind generation facility impact fee for local governmental units and school districts.

(1) An owner or operator of a wind generation facility used for a commercial purpose is subject to an initial local governmental and local school impact fee to be paid for each year of the first 3 years after construction of the wind generation facility begins. The annual impact fee may not exceed 0.5% of the total cost of constructing the wind generation facility.

(2) (a) Subject to subsection (2)(b), the impact fee is assessed and distributed as provided in 15-24-3005(2) and (3).

(b) Local governmental units may enter into an interlocal agreement as provided in 15-24-3005(4).

(3) (a) For the purposes of this section, "wind generation facility" means any combination of a physically connected wind turbine or turbines, associated prime movers, and other associated property, including appurtenant land and improvements and personal property, that are normally operated together to produce electric power from wind.

(b) The term does not include a wind generation facility used for noncommercial purposes or exclusively for agricultural purposes."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

- END -