

## SENATE BILL NO. 283

INTRODUCED BY B. PHALEN, V. RICCI, B. LER, J. SCHILLINGER, L. DEMING, B. USHER, G. KMETZ, T.

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A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING WIND GENERATION FACILITY LAWS; ESTABLISHING WIND TURBINE TOWER HEIGHT AND LIGHTING REQUIREMENTS; PROVIDING DEFINITIONS; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

**NEW SECTION. Section 1. Definitions.** As used in [sections 1 through 3], unless the context clearly indicates otherwise, the following definitions apply:

(1) "Aircraft detecting lighting system" means sensor-based lights that utilize radar that activate when an aircraft enters the light activation volume and deactivates when an aircraft departs.

(2) "Turbine rotor hub" means a device attached to a wind turbine tower's drivetrain that holds the turbine's blades and the turbine's hub together.

(3) "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 and that have a nameplate capacity greater than or equal to 25 megawatts.

(4) "Wind turbine tower" means the structural base of a wind turbine.

**NEW SECTION. Section 2. Wind turbine tower height requirements.** (1) Beginning on January 1, 2026, a wind turbine tower constructed or installed may not exceed 350 feet in height, as measured from the natural ground level at the base of the tower to the middle of the turbine rotor hub.

(2) This section does not apply to wind turbine towers constructed or installed prior to January 1, 2026.

**NEW SECTION. Section 3. Wind turbine lighting requirements.** (1) Beginning on January 1, 2026,

a wind turbine and its components may not be excessively lit, except for the minimum requirements set forth by the federal aviation administration.

(2) Beginning on January 1, 2026, federal aviation administration-approved aircraft detection lighting systems must be installed on all wind generation facilities that contain wind turbine towers exceeding 200 feet in height, as measured from the natural ground level at the base of the tower to the middle of the turbine rotor hub.

NEW SECTION. **Section 4. Codification instruction.** [Sections 1 through 3] are intended to be codified as an integral part of Title 75, chapter 26, and the provisions of Title 75, chapter 26, apply to [sections 1 through 3].

**NEW SECTION.** **Section 5. Effective date.** [This act] is effective January 1, 2026.

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