



Legislative Council Staff

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Final Fiscal Note

Drafting Number: LLS 21-0742
Prime Sponsors: Sen. Gardner

Date: June 17, 2021
Bill Status: Postponed Indefinitely
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Bill Topic: **WIND ENERGY FACILITIES SITED NEAR MILITARY OPERATIONS**

Summary of Fiscal Impact: **No fiscal impact.** This bill would have required wind energy developers to make certain notifications for projects located near military sites. It was assessed as having no fiscal impact.

Appropriation Summary: No appropriation was required.

Fiscal Note Status: The fiscal note reflects the introduced bill. This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

Summary of Legislation

The bill requires a wind energy developer or owner to notify the U.S. Department of Defense of the new construction or expansion of a wind energy facility if the proposed project would include vertical construction exceeding 200 feet in height, and only proceed if it is determined by the department that the project would not have an adverse impact to military mission, training, or operations. If an adverse impact is determined, the project may proceed if the developer or owner commits to resolving the adverse impact through mitigation measures identified by the department.

The bill also prohibits wind energy developers or owners from constructing or expanding facilities in a manner that includes any vertical construction in excess of 50 feet in height if the wind energy facility is located within 2 nautical miles of an active federal military missile launch or control facility.

Assessment of No Fiscal Impact

This bill involves interactions with private businesses and the federal government. As such, it will have no impact on state or local revenue or expenditures and is assessed as having no fiscal impact.

Effective Date

The bill was postponed indefinitely by the Senate State, Veterans, and Military Affairs Committee on March 23, 2021.

State and Local Government Contacts

Colorado Energy Office
Military Affairs

Counties
Regulatory Agencies

Law