

2021 Regular Session

SENATE BILL NO. 185

BY SENATOR ALLAIN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

NATURAL RESOURCES DEPT. Provides for regulation of leases of land for solar farms.
(8/1/21)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

AN ACT

To amend and reenact the introductory paragraph of R.S. 30:1154(A) and (C) and to enact R.S. 30:1154(A)(8), relative to solar energy; to provide for leases to explore, develop, and produce solar energy; to provide for the powers and duties of the secretary of the Department of Natural Resources; to provide for terms, conditions, and requirements of solar leases; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The introductory paragraph of R.S. 30:1154(A) and (C) are hereby amended and reenacted and R.S. 30:1154(A)(8) is hereby enacted to read as follows:

§1154. Regulations governing solar devices; solar leases

A. The secretary shall develop and adopt, in cooperation with affected ~~industry~~ utility, agricultural, and solar industries, landowners, and consumer representatives and after one or more public hearings, regulations governing solar devices and property leases for the exploration, development, and production of solar energy. The regulations shall be designed to encourage the development and use of solar energy and to provide maximum information to the public concerning solar devices. The regulations may include the following:

* * *

1

2 (8) Minimum requirements for property leases for the exploration,

3 development, and production of solar energy, including but not limited to

4 acreage, access, and maintenance of the property during the lease,

5 decommissioning and final site closure upon termination of the lease, and

6 placement of this program within the department. The rules provided for in this

7 Paragraph shall be promulgated by the secretary, but not implemented until the

8 secretary identifies funding through fees, federal grants, or other sources.

* * *

9

10 C. Under no circumstances may the secretary preclude any person from

11 developing, installing, or operating a solar device on his own property **for**

12 **residential use.**

* * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Tyler S. McCloud.

DIGEST

SB 185 Engrossed

2021 Regular Session

Allain

Present law requires the secretary of the Dept. of Natural Resources to develop and adopt, in cooperation with affected industry and consumer representatives and after one or more public hearings, regulations governing solar devices.

Proposed law retains present law and also requires cooperation with landowners and utility and agricultural representatives in developing regulations. Also requires such regulations govern property leases for the exploration, development, and production of solar energy.

Proposed law authorizes rules to provide for minimum requirements for property leases for the exploration, development, and production of solar energy including but not limited to acreage, access, and maintenance of the property during the lease, decommissioning and final site closure upon termination of the lease, and placement of the program within the Dept. of Natural Resources.

Proposed law delays implementation of the promulgated rules until the secretary identifies funding through fees, federal grants, or other sources.

Present law requires the regulations to encourage the development and use of solar energy and to provide maximum information to the public concerning solar devices. Proposed law retains present law.

Present law prohibits the secretary from precluding any person from developing, installing, or operating a solar device on his own property.

Proposed law provides that this prohibition applies to residential use only.

Effective August 1, 2021.

(Amends R.S. 30:1154(A)(intro para) and (C); adds R.S. 30:1154(A)(8))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Natural Resources to the original bill

1. Adds that the rules provide for placement of the program within the Dept. of Natural Resources.
2. Delays implementation of the promulgated rules until the secretary identifies funding.
3. Adds to the present law prohibition on the secretary from precluding the use of solar on a landowners property, that the use is a residential use.