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

DIGEST

SB 456 Original | 2022 Regular Session | Allain

Present law provides for the regulation of solar devices. Proposed law provides for the regulation of solar power generating facilities.

Present law prohibits the sale of solar devices that do not meet certain minimum requirements. Proposed law modifies present law by prohibiting the installation, instead of the sale, of solar devices in a solar power generation facility that do not meet certain minimum requirements.

Proposed law requires a solar power generation facility to be bonded or secured in an amount to be determined by the secretary of the Dept. of Natural Resources to ensure proper site closure.

Proposed law further requires the security instrument be payable to the Dept. of Natural Resources and ensure the following:

(1) Substantial compliance with laws providing for solar generation and any rule or regulation promulgated pursuant to those laws.

(2) Compliance, as determined by a court of competent jurisdiction, with provisions of the property lease for the exploration, development, and production of solar energy on which the facility is located and that the violation would require closure of the facility.

Proposed law requires the department notify the lessor of any enforcement action against a facility operator or upon a claim against the bond or other instrument.

Proposed law further specifies that in determining the adequacy of the amount or other specific requirements of the bond or other financial security, the secretary must consider the following:

(1) The assets, debts, and compliance history of the applicant or permittee.

(2) The condition and capacity of the facilities to be covered by such security.

(3) The estimated cost of site closure, including remediation of the property.

Effective August 1, 2022.

(Amends R.S. 30:1154(A)(intro para) and 1154(A)(6); adds R.S. 30:1154(A)(9))