

HOUSE SUMMARY OF SENATE AMENDMENTS**HB 459****2025 Regular Session****Coates**

ENERGY/ALTERNATE: Provides for renewable energy regulation and permitting

Synopsis of Senate Amendments

1. Grants permitting authority to Department of Energy and Natural Resources for solar facilities of 75 acres or more.
2. Allows parish governments to create their own siting requirements and to opt out of state siting requirements by resolution.
3. Allows the Department of Agriculture and Forestry and the Department of Wildlife and Fisheries to comment on solar projects.
4. Requires any solar facility of 75 acres or more and not wholly within an industrial-zoned area or Louisiana Economic Development certified site, to comply with siting requirements, including setbacks, opaque vegetative barriers, and plans stamped by a licensed landscape architect or horticulturalist.
5. Requires 300 foot setback from the property line for residential properties adjacent to solar facilities, with 35 foot new planting or 50 foot natural vegetative barrier.
6. Allows landowners to opt out of siting requirements by written agreement with the facility operator.
7. Requires 100 foot setback from natural and navigable waterways.
8. Requires 50 foot setback from public roads with 35 foot vegetative barrier.
9. Prohibits noise greater than 10 decibels above the pre-construction ambient noise level at the property line.
10. Provides that siting requirements are applicable to facilities constructed after January 1, 2026.
11. Prohibits spraying of maintenance chemicals not approved for agricultural use.
12. Exempts from the provisions of proposed law one wind turbine on property leased on or before June 30, 2024 for the purpose of installation and operation of a single wind turbine and the corresponding instrumentation system required to monitor energy operations and maintenance.
13. Makes technical changes.

Digest of Bill as Finally Passed by Senate

Proposed law requires operators of renewable energy storage facilities to obtain a permit for installation and decommissioning from the Dept. of Energy and Natural Resources (DENR) prior to installing a battery.

Proposed law requires a permit to construct or complete an onshore wind project from the DENR.

Proposed law prohibits the issuance of a permit for renewable energy projects without proof of financial security and a decommissioning plan.

Proposed law requires the secretary of the dept. to promulgate and adopt regulations necessary for the enforcement of proposed law by Aug. 31, 2026.

Proposed law excludes residential properties from the applicability of proposed law.

Proposed law defines "onshore".

Proposed law provides DENR permitting authority for solar power generation facilities of 75 acres or more.

Proposed law requires that any solar facility of 75 acres or more and not wholly within a industrial-zoned area or La. Economic Development certified site adhere to siting requirements, including setbacks, opaque vegetative barriers, and plans stamped by a landscape architect or horticulturalist.

Proposed law allows a parish government to create its own siting requirements and opt out of state requirements by resolution.

Proposed law requires for residential properties a 300 foot setback from the property line to the nearest solar equipment, with a 35 foot barrier of new landscaping or a 50 foot barrier of natural plants. Prohibits noise more than 10 decibels above the pre-construction ambient noise level at the property line. Further allows landowners to opt out of siting requirements through written agreement with the facility operator.

Proposed law requires for natural and navigable waterways a 100 foot setback from the low water mark to the nearest solar equipment.

Proposed law requires for public roads a 50 foot setback from the pavement edge to the nearest solar equipment, with a 35 foot vegetative barrier.

Proposed law requires any solar facility constructed after Jan. 1, 2026 to comply with state siting requirements.

Proposed law prohibits spraying of any chemical for maintenance of a solar facility if the chemical is not approved for agricultural use.

Proposed law exempts from the provisions of proposed law one wind turbine on property leased on or before June 30, 2024 for the purpose of installation and operation of a single wind turbine and the corresponding instrumentation system required to monitor energy operations and maintenance.

(Adds R.S. 30:1131 and 1141-1145)