

Requested by Representative LEVY B

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2375**

1 On page 1 of the printed bill, delete lines 4 through 29 and delete pages  
2 2 and 3 and insert:

3 **“SECTION 1. (1) As used in this section:**

4 **“(a) ‘Hub height’ means the distance from the ground to the middle**  
5 **of a wind-powered turbine’s rotor.**

6 **“(b) ‘Light-mitigating technology system’ means a system approved**  
7 **by the Federal Aviation Administration that is capable of reducing the**  
8 **impact of obstruction lighting while maintaining conspicuity sufficient**  
9 **to assist aircraft in identifying and avoiding collision with a structure**  
10 **or facility.**

11 **“(c) ‘Maintenance’ means activities to keep a wind energy facility**  
12 **in an efficient operating condition and that do not add to the value**  
13 **or extend the expected economic life or increase the nameplate ca-**  
14 **capacity or energy output of the facility.**

15 **“(d) ‘Person’ means a developer, owner or operator.**

16 **“(e) ‘Repower’ means to replace all or substantially all of a wind**  
17 **energy facility for the purpose of extending the life of the facility, and**  
18 **the replacement is not part of routine maintenance.**

19 **“(f) ‘Wind energy facility’ means an electric power generating fa-**  
20 **cility that is made up of five or more wind-powered turbines and one**  
21 **or more of the wind-powered turbines:**

1       “(A) Are required under Federal Aviation Administration regu-  
2 lations to have obstruction lights; or

3       “(B) Have an obstruction light and a hub height that is 75 or more  
4 feet above the ground level.

5       “(2) A wind energy facility may not commence operations or, fol-  
6 lowing repowering, recommence operations unless the person devel-  
7 oping or repowering the wind energy facility meets the requirements  
8 in subsection (3) of this section.

9       “(3)(a) A person developing or repowering a wind energy facility  
10 who receives from the Federal Aviation Administration a determi-  
11 nation of no hazard to air navigation with regard to the wind energy  
12 facility shall apply to the administration and, if applicable, the Federal  
13 Communications Commission, for approval for the installation and use  
14 of light-mitigating technology systems for the wind energy facility’s  
15 wind-powered turbines.

16       “(b) If the administration issues a determination that the installa-  
17 tion and use of a light-mitigation technology system is not a hazard  
18 to air navigation and, as applicable, the commission issues its ap-  
19 proval, the person shall install and use light-mitigating technology  
20 systems on approved wind-powered turbines. The person shall install  
21 and begin using the light-mitigating technology systems:

22       “(A) Within 24 months from the date the administration issues its  
23 determination;

24       “(B) If applicable, within 24 months from the later of:

25       “(i) The date the administration issues its determination; or

26       “(ii) The date the commission issues its approval; or

27       “(C) As soon as reasonably practicable after the date specified in  
28 subparagraph (A) or (B) of this paragraph if installation is delayed due  
29 to reasons outside of the person’s control.

30       “(c) A person is not required to install or use a light-mitigating

1 **technology system on a wind-powered turbine if:**

2 **“(A) The administration issues a determination that the installation**  
3 **or use of the light-mitigation technology system is a hazard to air**  
4 **navigation;**

5 **“(B) The administration does not issue a determination within 12**  
6 **months from the date the person submits the application to the ad-**  
7 **ministration;**

8 **“(C) If applicable, the commission does not issue its approval for**  
9 **the installation and use of the light-mitigating technology system; or**

10 **“(D) If applicable, the commission does not issue its approval within**  
11 **12 months from the date the person submits the application to the**  
12 **commission.**

13 **“(4) Nothing in this section shall require a person to carry out light**  
14 **mitigation in a manner that conflicts with an applicable federal law**  
15 **or regulation.**

16 **“SECTION 2. The governing body of a county or city or its designee**  
17 **may not allow or permit a wind energy facility, as defined in section**  
18 **1 of this 2025 Act, unless the person seeking to develop or repower the**  
19 **wind energy facility provides proof that the person is in compliance**  
20 **with the requirements in section 1 (3)(a) of this 2025 Act.**

21 **“SECTION 3. Sections 1 and 2 of this 2025 Act apply to any wind**  
22 **energy facility, as defined in section 1 of this 2025 Act, for which a**  
23 **person applies, on or after January 1, 2028, to the Federal Aviation**  
24 **Administration for a determination of hazard or no hazard to air**  
25 **navigation with regard to the wind energy facility.”.**

26