

## 1 HOUSE BILL NO. 389

2 INTRODUCED BY B. LER, S. KLAKKEN, J. KASSMIER, B. PHALEN

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR SETBACKS FOR WIND TURBINE  
5 GENERATORS."6  
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:8  
9 NEW SECTION. **Section 1. Required setback for wind turbine generators.** After [the effective date  
10 of this act], a wind turbine generator built pursuant to a wind energy agreement as described in 70-17-406 may  
11 not be constructed if the base of the tower is located at a distance less than:12 (1) 1,250 feet from the property line of any real property subject to a wind energy agreement as  
13 described in 70-17-406 with the owner of the wind turbine generator;

14 (2) 3,000 feet from public roads and highways of this state as defined in 15-70-401;

15 (3) 7,920 feet from the property line of any real property not subject to a wind energy agreement  
16 as described in 70-17-406 with the owner of the wind turbine generator.17  
18 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as a new  
19 part in Title 75, chapter 26, and the provisions of Title 75, chapter 26, apply to [section 1].

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