



WIND AND SOLAR FACILITY TASKFORCE

WIND AND SOLAR BILLS
Illinois State Association of Counties
March 18, 2024

HB 3673 - EPA-WINDMILL CONSTRUCTION (No Position)

Amends the Environmental Protection Act. Provides that a entity may not construct a windmill on land anywhere in the State unless an equal number of windmills have been or are constructed by the entity constructing the windmill within 3,000 feet of a county with a population more than 3,000,000.

HB 4037 - COUNTIES CD-SOLAR & WIND ENERGY (Support)

Amends the Counties Code. Provides that a commercial wind energy facility owner or solar energy facility owner must file a land reclamation plan and a recycling plan with the Department of Agriculture prior to the required public hearing on the siting of a facility. Provides that the land reclamation plan must outline how the property on which a facility has been constructed will be returned to the state the property existed prior to the construction of the facility upon removal of the facility. Provides that the recycling plan must outline how the material used to construct the facility will be recycled. Provides that a commercial solar energy facility may not be sited on property where the property's soil's crop productivity index is greater than 110. Effective immediately.

HB 4135 - COUNTY-SOLAR FACILITY SETBACKS (Support)

Amends the Counties Code. Provides that a county may require a commercial solar energy facility to be sited 500 feet (rather than 50 feet) to the nearest point on the property line of a nonparticipating property and 500 feet (rather than 150 feet) from the nearest point on the outside wall of an occupied community building or dwelling on nonparticipating properties.

HB 4422 - COUNTIES-WIND & SOLAR ENERGY (No Position)

Amends the Counties Code. In provisions about commercial wind energy facilities and commercial solar energy facilities, removes changes made by Public Act 102-1123. Provides that any provision of a county zoning ordinance pertaining to wind farms, commercial wind energy facilities, or commercial solar energy facilities that was in effect before January 27, 2023 may continue in effect notwithstanding any changes made in Public Act 102-1123 and, if applicable, any provision of a county zoning ordinance

pertaining to wind farms that was in effect before August 16, 2007 may continue in effect notwithstanding the changes made in Public Act 95-203.

HB 4551 - CNTY CD-WIND&SOLAR FACILITIES (Under Review)

Amends the Counties Code. Provides that a county may deny a permit for a commercial solar energy facility or commercial wind energy facility, including the modification or improvement to an existing facility, if the work requested to be performed under the permit is not being performed under a project labor agreement with building trades located in the area where construction, modification, or improvements are to be made.

HB 4612 - COUNTIES CODE-WIND FACILITIES (Support)

Amends the Counties Code. Provides that a county may set blade tip height limitations for wind towers in commercial wind energy facilities near a restricted landing area to ensure compliance with specified provisions of the Illinois Administrative Code.

HB 5054 - AGRICULTURE IMPACT MITIGATION (Under Review)

Amends the Renewable Energy Facilities Agricultural Impact Mitigation Act. Changes the short title of the Act to the Agricultural Impact Mitigation Act. Makes conforming changes in the Illinois Power Agency Act and the Illinois Municipal Code. Makes the Agricultural Impact Mitigation Act's agricultural impact mitigation agreement provisions applicable to commercial wind energy facilities, battery energy storage systems, pipelines, and electric lines. Describes information to be included in the agricultural impact mitigation agreements. Requires each construction or destruction project to undergo inspection by an agricultural inspector. Authorizes the Department of Agriculture to temporarily halt construction, deconstruction, or other activities on a project upon its finding of noncompliance with the provisions of an agricultural impact mitigation agreement. Defines terms.

HB 5176 - SOLAR-READY BUILDINGS ACT (Under Review)

Creates the Solar-Ready Buildings Act. Requires all building permits issued 90 days after the effective date of this Act in a new, large multifamily residential building or a large multifamily residential building being renovated by a developer converting the property to an association to be built to accommodate the installation of a solar energy system on the roof. Requires all building permits issued 24 months after the effective date of this Act to accommodate the installation of a solar energy system on their roofs in new construction single-family residence or small multifamily residence that qualifies as an affordable housing development under the same project ownership and is located on a campus to be built to accommodate the installation of a solar energy system on their roofs. Requires that unless provided otherwise in this Act, all new residential and commercial buildings shall be built to accommodate the installation of an on-site solar energy system with preference for rooftop solar energy systems. Authorities shall develop and adopt amendments to their respective building codes within one year from

the effective date of this Act to establish this requirement. Makes specific requirements for a solar energy system to produce electricity. Makes exemptions for developers in certain situations. Any person who fails to comply with or otherwise violates this Act is liable for a civil administrative penalty not to exceed \$10,000 for each violation, or twice the estimated additional cost that would have been incurred by constructing a building to meet the requirements of this Act, whichever is greater. Applies to new buildings constructed after the effective date of this Act.

SB 3403 - COUNTIES-WIND FACILITY LIGHTS (Under Review)

Amends the Counties Code. Provides that, beginning June 1, 2025 and subject to Federal Aviation Administration approval to equip and operate light mitigating technology for at least 30% of the proposed wind towers included within a commercial wind energy facility, a county shall require the facility owner of a commercial wind energy facility constructed beginning in 2019 or later to install light mitigating technology at the commercial wind energy facility. Includes requirements when the light mitigating technology must be installed and allows a facility owner to seek an extension from these requirements from the county board. Provides that a county board may impose civil penalties on the facility owner of a commercial wind energy facility that failed to comply with the requirements in the amount of \$1,000 per day. Provides that the provisions do not apply to test wind towers allowed by a county that are used solely for purposes of research and testing.

SB 3748 - ENTERPRISE ZONE-SOLAR & WIND (Support)

Amends the Illinois Enterprise Zone Act. Provides that Department of Commerce and Economic Opportunity may designate a business that intends to establish a new wind power facility or a utility-scale solar facility as a high impact business only if the municipality in which the facility will be located (or the county in which the facility will be located, if the facility will be located in an unincorporated area of the county) approves, in writing, the designation of the business as a high impact business. Makes conforming changes. Amends the Prevailing Wage Act to make conforming changes. Effective immediately.