

January 27, 2022

The Honorable Mike Thompson, Chairperson
Senate Committee on Utilities
Statehouse, Room 548-S
Topeka, Kansas 66612

Dear Senator Thompson:

SUBJECT: Fiscal Note for SB 353 by Senate Committee on Utilities

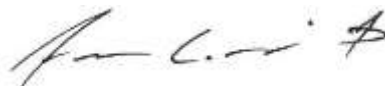
In accordance with KSA 75-3715a, the following fiscal note concerning SB 353 is respectfully submitted to your committee.

SB 353 would create setback and construction requirements for wind turbines. The bill would require wind turbine developers to submit construction applications to the local board of county commissioners and would outline certain requirements to be included in such applications. In addition, the bill would require county commissioners to publish notice of wind turbine construction applications and to hold public hearings on such applications at least 20 days, but not more than 90 days, after the publication. The bill would also allow for landowners, at any point after construction, to have a wind turbine acoustic noise measurement test conducted at the expense of the developer. Any developer, owner, or operator of any facility that has commenced operation would be required to take steps to eliminate shadow flicker from wind turbines and be adequately insured against loss or damage arising from liability to adjacent persons, properties, and structures within the minimum setback distance.

The Kansas Association of Counties indicates that enactment of the bill could result in increased administrative costs for county commissioners. However, a fiscal effect cannot be estimated because the frequency of potential wind turbine construction is unknown.

The Kansas Corporation Commission indicates that enactment of the bill would have no fiscal effect on the agency. Any fiscal effect associated with SB 353 is not reflected in *The FY 2023 Governor's Budget Report*.

Sincerely,



Adam Proffitt
Director of the Budget

cc: Peter Barstad, KCC
Jay Hall, Association of Counties