

SENATE BILL NO. 849

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR O'LAUGHLIN.

5631S.03I

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 393, RSMo, by adding thereto one new section relating to the moratorium on the construction of solar projects, with an emergency clause.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 393, RSMo, is amended by adding thereto
2 one new section, to be known as section 393.2180, to read as
3 follows:

393.2180. 1. For purposes of this section, the
2 following terms mean:

3 (1) "Department", the Missouri department of natural
4 resources;

5 (2) "Solar project", a group of photovoltaic
6 interconnected solar panels or arrays that convert sunlight
7 into electricity for the primary purpose of wholesale or
8 retail sales of generated electricity, including all on-site
9 equipment and facilities necessary for the proper operation
10 of the facility, such as electrical collection and
11 transmission lines, battery storage systems, transformers,
12 substations, and operations and maintenance facilities.

13 2. Notwithstanding any provision of law to the
14 contrary, beginning the effective date of the act, there
15 shall immediately be a moratorium placed on the construction
16 of any solar project in the state, including but not limited

17 to the issuance of permits for the construction of solar
18 projects in the state.

19 3. For any solar project that is currently being
20 constructed and for which construction has not completed
21 before the effective date of the act, all construction of
22 such solar project shall be suspended under the moratorium
23 under this section.

24 4. The department shall promulgate rules relating to
25 environmental issues concerning, but not limited to, the
26 construction, placement, and operation of a solar project.
27 Any rule or portion of a rule, as that term is defined in
28 section 536.010, that is created under the authority
29 delegated in this section shall become effective only if it
30 complies with and is subject to all of the provisions of
31 chapter 536 and, if applicable, section 536.028. This
32 section and chapter 536 are nonseverable and if any of the
33 powers vested with the general assembly pursuant to chapter
34 536 to review, to delay the effective date, or to disapprove
35 and annul a rule are subsequently held unconstitutional,
36 then the grant of rulemaking authority and any rule proposed
37 or adopted after the effective date of the act, shall be
38 invalid and void.

39 5. The moratorium under this section shall end on
40 December 31, 2027. However, if the department does not
41 promulgate rules under subsection 4 of this section before
42 December 31, 2027, the moratorium shall continue until the
43 requirements under subsection 4 of this section have been
44 met.

Section B. Because of the hazards relating to the
2 construction and operation of solar projects, section A of
3 this act is deemed necessary for the immediate preservation
4 of the public health, welfare, peace, and safety, and is

5 hereby declared to be an emergency act within the meaning of
6 the constitution, and section A of this act shall be in full
7 force and effect upon its passage and approval.

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