



OHIO LEGISLATIVE SERVICE COMMISSION

Russ Keller

Fiscal Note & Local Impact Statement

Bill: S.B. 188 of the 132nd G.A.

Status: As Introduced

Sponsor: Sen. Hite

Local Impact Statement Procedure Required: No

Subject: Revises wind farm setback provisions

State & Local Fiscal Highlights

- No direct fiscal effect on the state or any of its political subdivisions.

Detailed Fiscal Analysis

S.B. 188 changes the minimum setback requirements for turbines on wind farms with at least five megawatts of generating capacity (i.e., "economically significant wind farms"). Under continuing law, there are two minimum setback measurements for turbines: (1) the distance measured from the turbine base to the wind farm property line, and (2) the distance from the nearest turbine blade tip at 90°.

Under the bill, the Ohio Power Siting Board (OPSB) may only approve applications for the construction of economically significant wind farms in which a wind turbine is (1) a distance from the wind farm property line, as measured from the turbine's base, equal to 1.2 times the total turbine height to its highest blade (e.g., 590 feet), and (2) a minimum of 1,225 feet, as measured from the tip of the turbine's nearest blade at 90° (e.g., 1,315 feet), to the exterior of the nearest, habitable, residential structure, if any, located on adjacent property.¹

The bill also changes the setback waiver provision to permit an owner of a parcel that abuts a parcel where a wind turbine is located to waive the setback requirement, rather than current law's requirement that all owners of property adjacent to the wind farm property make the waiver.

The bill does not have a direct fiscal effect on governmental revenues and expenditures. Under continuing law, a wind farm developer may receive a property tax exemption if the associated property is placed into service before January 1, 2021. In exchange for the property tax exemption, the owner or lessee of the wind farm must

¹ Under existing law, the distance for the former requirement is 1.1 times the total turbine height, and there is an existing requirement similar to the latter requirement, specifying that the distance must be 1,125 feet to the nearest property line.

make annual service payments between \$6,000 and \$9,000 per megawatt of nameplate capacity, depending on the type of project, for every year the wind farm is exempt from taxation.

All application fees paid to the OPSB on behalf of economically significant wind farms are deposited in the state treasury to the credit of the Power Siting Board Fund (Fund 5610).

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