

SECOND REGULAR SESSION

# HOUSE BILL NO. 2477

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LEWIS.

5857H.011

JOSEPH ENGLER, Chief Clerk

## AN ACT

To amend chapter 393, RSMo, by adding thereto one new section relating to 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 one new section, to be known as section 393.2180, to read as follows:

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

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

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

2. Notwithstanding any provision of law to the contrary, beginning the effective date of this section, there shall immediately be a moratorium placed on the construction of any solar project in the state, including but not limited to the issuance of permits for the construction of solar projects in the state.

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

4. The department shall promulgate rules relating to environmental issues concerning, but not limited to, the construction, placement, and operation of a solar

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **project. Any rule or portion of a rule, as that term is defined in section 536.010, that is**  
19 **created under the authority delegated in this section shall become effective only if it**  
20 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**  
21 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**  
22 **vested with the general assembly pursuant to chapter 536 to review, to delay the**  
23 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**  
24 **then the grant of rulemaking authority and any rule proposed or adopted after the**  
25 **effective date of the act, shall be invalid and void.**

26 **5. The moratorium under this section shall end on December 31, 2027. However,**  
27 **if the department does not promulgate rules under subsection 4 of this section before**  
28 **December 31, 2027, the moratorium shall continue until the requirements under**  
29 **subsection 4 of this section have been met.**

Section B. Because of the hazards relating to the construction and operation of solar  
2 projects, section A of this act is deemed necessary for the immediate preservation of the  
3 public health, welfare, peace, and safety, and is hereby declared to be an emergency act within  
4 the meaning of the constitution, and section A of this act shall be in full force and effect upon  
5 its passage and approval.

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