

HB 3390 -- CONSTRUCTION OF DATA CENTERS

SPONSOR: Cupps

This bill establishes new regulations for the construction and operation of "hyperscale data centers", defined as facilities requiring at least 25 megawatts of energy to house and operate equipment for storing, processing, or transmitting data.

The bill prohibits hyperscale data centers from being built on land zoned for agricultural, conservation, environmental stewardship, mixed-use, or residential purposes and requires a minimum 500-foot setback from other properties, with a barrier of native Missouri plants. The bill also mandates noise-control measures during construction, adhering to Federal standards, and restricts their placement within ten miles of agricultural, recreational, or conservation areas, or within 5 miles of State waters.

Before construction, local governments must hold public hearings, notify affected property owners within a 10-mile radius, and then seek approval from the "Hyperscale Data Center Siting Board", which is composed of statewide elected officials and has the final say on project approval. This Board is created and established within the bill.

Furthermore, the bill prevents public utilities from collecting impact fees from residential or small commercial customers to cover the costs of new hyperscale data center construction, prohibits governmental entities from providing economic incentives for hyperscale data centers unless they receive an affidavit attesting the applicant is not one, and requires a major industrial water user permit for any entity withdrawing over 2.4 million gallons of water per day, with strict review criteria to protect existing water uses and resources.