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MEMORANDUM

To: Senate Committee on Utilities
From: Office of Revisor of Statutes
Date: January 25, 2023
Subject: Bill Brief – SB 49

Senate Bill 49 would require any new wind energy conversion system constructed on and after January 1, 2023, to be constructed with a light-mitigating technology system subject to the approval of the federal aviation administration. If the FAA approves of the light-mitigating technology system, SB 49 would require the installation of such lighting system on approved turbines within 24 months following the FAA's approval.

SB 49 would authorize the Kansas department of transportation aviation division to grant a waiver or an extension of time to the statutory 24-month installation requirement if a wind energy developer shows that supply chain or market constraints will delay the installation of the lighting system.

The provisions of SB 49 would apply to any wind energy conversion systems that have five or more wind turbines that are 50 feet or taller in height. A light mitigating technology system could include any aircraft detection lighting system or any other comparable system that is capable of reducing the impact of the lighting while maintaining sufficient conspicuity to alert aircraft.