

Sixty-sixth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2100

Introduced by

Energy and Natural Resources Committee

(At the request of the Public Service Commission)

1 A BILL for an Act to amend and reenact section 49-02-27 of the North Dakota Century Code,
2 relating to decommissioning of solar energy conversion facilities.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 49-02-27 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **49-02-27. Decommissioning of windrenewable energy conversion facilities.**

7 1. The commission shall adopt rules governing the decommissioning of commercial wind
8 energy conversion facilities. The rules must address:

- 9 a. The anticipated life of the project;
- 10 b. The estimated decommissioning costs in current dollars;
- 11 c. The method and schedule for updating the costs of the decommissioning and
- 12 restoration;
- 13 d. The method of ensuring that funds will be available for decommissioning and
- 14 restoration;
- 15 e. The anticipated manner in which the project will be decommissioned and the site
- 16 restored; and
- 17 f. Present and future natural resource development.

18 2. The facility owner or operator of a commercial wind energy facility shall record the
19 location of any portion of underground foundation not removed during
20 decommissioning with the county recorder in the county in which any such
21 underground foundation is located.

22 3. The commission may adopt rules governing the decommissioning of commercial solar
23 energy conversion facilities.