

HOUSE BILL 2761

By Gant

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 5; Title 6; Title 13; Title 65; Title 66; Title 67 and Title 68, relative to solar energy development.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 66, Chapter 9, Part 2, is amended by adding the following as a new section:

(a) The Tennessee advisory commission on intergovernmental relations (TACIR) is directed to perform a study of the overall effects of utility-scale solar energy development in this state. The study must include, but not be limited to, examinations of:

- (1) Short-term and long-term projections on the amount of acreage needed to accommodate utility-scale solar development;
- (2) Hazardous waste materials, as defined in § 68-212-104, that may exist in photovoltaic modules, energy storage system batteries, or other equipment used in utility-scale solar energy development;
- (3) Federal regulatory requirements regarding decommissioning and managing end-of-life photovoltaic modules, energy storage system batteries, and other equipment used in utility-scale solar energy development;
- (4) Statutory and regulatory requirements in other states regarding decommissioning and managing end-of-life photovoltaic modules, energy storage system batteries, and other equipment used in utility-scale solar energy development;

(5) Financial assurances and responsibilities of owners and operators in the event of natural disasters, pollution from solar energy system failures, decommissioning of a solar energy system, and end-of-life management of photovoltaic modules, energy storage system batteries, and other equipment used in utility-scale solar development;

(6) Which federal and state regulatory agencies are responsible for certification and oversight to determine the proper installation and operation of utility-scale solar energy systems;

(7) The needed state infrastructure to facilitate the collection, transport, and disposal of utility-scale solar energy systems;

(8) Required lease terms and conditions to protect future property use and rights of lessors in the event of default or termination of a lease;

(9) Implications of utility-scale solar energy systems on the local property tax base; and

(10) Local zoning and regulatory templates to ensure consistency throughout the state regarding local siting of utility-scale solar energy development.

(b) It is the legislative intent that this study be conducted within TACIR's existing resources.

(c) On or before January 31, 2023, TACIR shall report its findings and recommendations, including any proposed legislation, to members of the energy, agriculture and natural resources committee of the senate, and members of the agriculture and natural resources committee of the house of representatives.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.