

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

473Q0483

SENATE BILL NO. 141

Introduced by: Senators Ahlers, Hanson (Gary), Heidepriem, Kloucek, Maher, Merchant, Novstrup (Al), Peterson, and Vehle and Representatives Lucas, Curd, Cutler, Engels, Rausch, Rave, Rounds, and Sorenson

1 FOR AN ACT ENTITLED, An Act to establish certain requirements regarding the siting of
2 certain wind turbine towers.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. For the purposes of this Act, the term, small wind energy system, means any
5 system of one or more wind turbines where the height of each wind turbine tower is less than
6 seventy-five feet.

7 Section 2. For the purposes of this Act, the term, large wind energy system, means any
8 system of one or more wind turbines not included in the definition of a small wind energy
9 system.

10 Section 3. Each wind turbine tower of a small wind energy system shall be set back at least
11 1.1 times the height of the tower from any surrounding property line. However, if the owner of
12 the wind turbine tower has a written agreement with an adjacent land owner allowing the
13 placement of the tower closer to the property line, the tower may be placed closer to the property
14 line shared with that adjacent land owner.



1 Section 4. Each wind turbine tower of a large wind energy system shall be set back at least
2 five hundred feet or 1.1 times the height of the tower, whichever distance is greater, from any
3 surrounding property line. However, if the owner of the wind turbine tower has a written
4 agreement with an adjacent land owner allowing the placement of the tower closer to the
5 property line, the tower may be placed closer to the property line shared with that adjacent land
6 owner.