

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

SENATE BILL 466

By: Senator J. Dismang

By: Representative J. Moore

For An Act To Be Entitled

AN ACT TO PLACE A PROHIBITION OR MORATORIUM ON CERTAIN HEIGHTS OF WIND POWER DEVICES FOR A CERTAIN PERIOD; TO REQUIRE THE ARKANSAS STATE GAME AND FISH COMMISSION TO STUDY ON THE EFFECTS OF WIND POWER DEVICES; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO PLACE A MORATORIUM ON CERTAIN HEIGHTS OF WIND POWER DEVICES; TO REQUIRE THE ARKANSAS STATE GAME AND FISH COMMISSION TO STUDY ON THE EFFECTS OF WIND POWER DEVICES; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. DO NOT CODIFY. TEMPORARY LANGUAGE. Wind power device height moratorium – Study on long-term effects of wind power devices on wildlife – Definition.

(a) As used in this section, "wind power device" means a device, including a windmill, wind farm, or wind turbine, that is designed to use the kinetic energy of moving air to provide mechanical energy or to produce electricity.

(b)(1) On and after the effective date of this act, a wind power device is prohibited from exceeding one hundred fifty feet (150 ft.) in height.

(2) The prohibition or moratorium under subdivision (b)(1) of



this section shall expire on July 1, 2027.

(3) Subdivision (b)(1) of this section shall not apply to a wind power device if the wind power device is under construction, has broken ground, or is in operation before March 21, 2025.

(c)(1)(A) The Arkansas State Game and Fish Commission shall conduct a study regarding the effects of wind power devices.

(B) The study under subdivision (c)(1)(A) of this section shall primarily focus on migratory waterfowl and predatory birds, also known as raptors.

(2) The commission may:

(A) Contract with an entity to conduct the study under subdivision (c)(1) of this section; and

(B) Partner with a state or federal agency, an environmental consultant, nonprofit organization, or institution of higher education in this state to conduct the study under subdivision (c)(1) of this section.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that wind energy may have detrimental effects on wildlife and the environment with birds, including raptors, being at a greater risk of being impacted by wind power devices; that waterfowl populations in this state are declining and immediate conservation is needed to ensure that the waterfowl and raptor populations increase; and that this act is immediately necessary to ensure conservation of migratory waterfowl and raptor populations in this state as preserving waterfowl and raptor populations contributes to the economy of this state through tourism and hunting activities, which directly impacts the citizens of this state. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.