

1 AN ACT relating to solar electric generating facilities.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 278 IS CREATED TO
4 READ AS FOLLOWS:

- 5 *(1) Except as provided in subsection (2) of this section and subject to any more*
6 *restrictive setback requirements under this chapter, no stand-alone, ground-*
7 *mounted electric generating facility that generates electricity using solar energy*
8 *and has a rated capacity of greater than five megawatts (5 MW) shall be built*
9 *within one hundred (100) feet of the boundary line of an adjoining residential*
10 *property on which a residence exists at the time of the commencement of the*
11 *construction of the solar electric generating facility. The setback distance shall be*
12 *measured from the closest point of the solar electric generating facility, not*
13 *including the distribution and transmission lines, electric modules, inverters, or*
14 *transformers servicing the solar electric generating facility, to the nearest*
15 *adjoining residential property line to which the setback requirement would apply.*
- 16 *(2) If a solar electric generating facility that would be subject to the setback*
17 *requirement of subsection (1) of this section is to be built within the jurisdiction*
18 *of a planning unit as defined in KRS 100.111, then any setback requirements*
19 *relating to the location of the solar electric generating facility established by the*
20 *planning unit at any time shall supersede the setback requirement established in*
21 *subsection (1) of this section.*