



AN ACT PROVIDING FOR SETBACKS FOR WIND TURBINE GENERATORS; ESTABLISHING A WIND TURBINE GENERATOR DEICING STANDARD; AND PROVIDING A DELAYED EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Required setback for wind turbine generators. After [the effective date of this act], a wind turbine generator built pursuant to a wind energy agreement as described in 70-17-406 may not be constructed if the wind turbine tower is 500 feet or more in height, as measured from the natural ground level at the base of the tower to the tip of the turbine rotor blade, if the base of the tower is located at a distance of less than 1,500 feet from an occupied residence, unless a shorter setback distance is approved by the owner of the real property.

Section 2. Wind turbine generator deicing -- requirement. After [the effective date of this act], a wind turbine generator shall use commercially reasonable efforts to mitigate icing risks during an operator-controlled turbine rotor blade deicing process if the wind turbine generator is:

- (1) 500 feet or more in height, as measured from the natural ground level at the base of the tower to the tip of the turbine rotor blade;
- (2) constructed within an area with an ice class rating of 4 or more, as defined in international energy agency guidelines published in February 2017; and
- (3) located within a distance of 1,500 feet from an occupied residence.

Section 3. Codification instruction. [Sections 1 and 2] are intended to be codified as an integral part of Title 75, chapter 26, and the provisions of Title 75, chapter 26, apply to [sections 1 and 2].

Section 4. Effective date. [This act] is effective January 1, 2026.

- END -

I hereby certify that the within bill,
HB 939, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2025.

President of the Senate

Signed this _____ day
of _____, 2025.

HOUSE BILL NO. 939

INTRODUCED BY K. ZOLNIKOV, B. LER, G. PARRY

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