

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

SENATE BILL 466

5 By: Senator J. Dismang
6 By: Representative J. Moore
7

For An Act To Be Entitled

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

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17 TO PLACE A MORATORIUM ON CERTAIN HEIGHTS
18 OF WIND POWER DEVICES; TO REQUIRE THE
19 ARKANSAS STATE GAME AND FISH COMMISSION
20 TO STUDY ON THE EFFECTS OF WIND POWER
21 DEVICES; AND TO DECLARE AN EMERGENCY.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. DO NOT CODIFY. TEMPORARY LANGUAGE. Wind power device
27 height moratorium – Study on long-term effects of wind power devices on
28 wildlife – Definition.

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

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

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



1 this section shall expire on July 1, 2027.

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

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

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

10 (2) The commission may:

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

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

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

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

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

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