

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0235.01 Kip Kolkmeier x4510

HOUSE BILL 18-1085

HOUSE SPONSORSHIP

Lundeen,

SENATE SPONSORSHIP

(None),

House Committees

Transportation & Energy

Senate Committees

A BILL FOR AN ACT

101 CONCERNING RESEARCH ON THE HEALTH EFFECTS OF INDUSTRIAL
102 WIND ENERGY TURBINES.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires the department of public health and environment to research and compile information on the health effects of noise and stray voltage from industrial wind energy turbines on humans and animals. The department must report research results to the general assembly by January 1, 2020, and present the report to a joint legislative committee of reference. The research and reporting requirements are

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

repealed July 1, 2020.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 25-1.5-113 as
3 follows:

4 **25-1.5-113. Research on health effects of industrial wind**
5 **energy turbines - definitions - report to general assembly - no**
6 **appropriation - repeal.** (1) THE DEPARTMENT SHALL RESEARCH AND
7 COMPILE THE FOLLOWING:

8 (a) PUBLISHED SCIENTIFIC ARTICLES, LITERATURE, AND
9 EPIDEMIOLOGICAL STUDIES REGARDING THE POTENTIAL HEALTH EFFECTS
10 ON HUMANS AND ANIMALS FROM NOISE OR STRAY VOLTAGE GENERATED
11 BY INDUSTRIAL WIND ENERGY TURBINES, WHETHER PUBLISHED IN THE
12 UNITED STATES OR IN A FOREIGN COUNTRY; AND

13 (b) PUBLISHED COURT DECISIONS AND LAW REVIEW ARTICLES
14 FROM ANY STATE OR FEDERAL JURISDICTION IN THE UNITED STATES
15 REGARDING CLAIMS OF HEALTH EFFECTS ON HUMANS OR ANIMALS FROM
16 NOISE OR STRAY VOLTAGE GENERATED BY INDUSTRIAL WIND ENERGY
17 TURBINES.

18 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
19 REQUIRES:

20 (a) "HEALTH EFFECTS" MEAN PHYSIOLOGICAL AND
21 PSYCHOLOGICAL IMPACTS ON HUMANS AND PHYSIOLOGICAL IMPACTS ON
22 ANIMALS.

23 (b) "INDUSTRIAL WIND ENERGY TURBINE" MEANS A WIND TURBINE
24 THAT HAS THE CAPACITY TO GENERATE AT LEAST ONE AND ONE-HALF
25 MEGAWATTS OF ELECTRICITY.

1 (c) "NOISE" MEANS SOUND THAT IS:
2 (I) AUDIBLE;
3 (II) PERIODIC;
4 (III) IMPULSIVE;
5 (IV) SHRILL; OR
6 (V) ABOVE OR BELOW AUDIBLE FREQUENCIES BUT DETECTABLE
7 USING APPROPRIATE EQUIPMENT.

8 (d) "STRAY VOLTAGE" MEANS VOLTAGE RESULTING FROM THE
9 NORMAL DELIVERY OR USE OF ELECTRICITY THAT MAY BE PRESENT
10 BETWEEN TWO CONDUCTIVE SURFACES THAT CAN BE SIMULTANEOUSLY
11 CONTACTED BY MEMBERS OF THE GENERAL PUBLIC OR ANIMALS AND IS
12 NOT RELATED TO ELECTRICAL FAULTS.

13 (3) NO LATER THAN JANUARY 1, 2020, THE DEPARTMENT SHALL
14 PREPARE A REPORT THAT INCLUDES A COMPILATION OF THE RESEARCH
15 REQUIRED BY SUBSECTION (1) OF THIS SECTION AND A SUMMARY OF THAT
16 RESEARCH. THE DEPARTMENT SHALL SUBMIT THE REPORT TO THE
17 AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES AND HEALTH,
18 INSURANCE, AND ENVIRONMENT COMMITTEES OF THE HOUSE OF
19 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, AND TO THE
20 AGRICULTURE, NATURAL RESOURCES, AND ENERGY AND HEALTH AND
21 HUMAN SERVICES COMMITTEES OF THE SENATE, OR ANY SUCCESSOR
22 COMMITTEES. THE DEPARTMENT SHALL ALSO PRESENT THE REPORT AT AN
23 APPROPRIATE JOINT COMMITTEE OF REFERENCE PUBLIC HEARING.

24 (4) THE DEPARTMENT SHALL NOT REQUEST APPROPRIATIONS FOR
25 THE COSTS ASSOCIATED WITH THE RESEARCH AND REPORT REQUIRED BY
26 THIS SECTION. THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS,
27 GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES TO DEFRAY

1 THE COSTS ASSOCIATED WITH THE RESEARCH AND REPORT.

2 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2020.

3 **SECTION 2. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly (August
6 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
7 referendum petition is filed pursuant to section 1 (3) of article V of the
8 state constitution against this act or an item, section, or part of this act
9 within such period, then the act, item, section, or part will not take effect
10 unless approved by the people at the general election to be held in
11 November 2018 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.