

By: Representative White

To: Public Utilities

## HOUSE BILL NO. 865

1 AN ACT TO AMEND SECTION 61-19-1, MISSISSIPPI CODE OF 1972, TO  
2 EXTEND THE DATE OF THE REPEALER ON THE STATUTE REQUIRING THE  
3 MARKING OF CERTAIN ANEMOMETER TOWERS FOR AVIATION PURPOSES; AND  
4 FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 61-19-1, Mississippi Code of 1972, is  
7 amended as follows:

8 61-19-1. (1) For purposes of this section, the term  
9 "anemometer" means an instrument for measuring and recording the  
10 speed of the wind. For purposes of this section, the term  
11 "anemometer tower" means a structure, including all guy wires and  
12 accessory facilities, on which an anemometer is mounted for the  
13 purposes of documenting whether a site has wind resources  
14 sufficient for the operation of a wind turbine generator.

15 (2) Any anemometer tower that is fifty (50) feet in height  
16 above the ground or higher, that is located outside the exterior  
17 boundaries of any municipality, and whose appearance is not  
18 otherwise mandated by state or federal law shall be marked,  
19 painted, flagged, or otherwise constructed to be recognizable in



20 clear air during daylight hours. Any anemometer tower that was  
21 erected before July 1, 2011, shall be marked as required in this  
22 section within one (1) year after July 1, 2011. Any anemometer  
23 tower that is erected on or after July 1, 2011, shall be marked as  
24 required in this section at the time it is erected. Marking  
25 required under this section includes marking the anemometer tower,  
26 guy wires, and accessory facilities as follows:

27 (a) The top one-third (1/3) of the anemometer tower  
28 shall be painted in equal, alternating bands of aviation orange  
29 and white, beginning with orange at the top of the tower and  
30 ending with orange at the bottom of the marked portion of the  
31 tower;

32 (b) Two (2) marker balls shall be attached to and  
33 evenly spaced on each of the outside guy wires;

34 (c) The area surrounding each point where a guy wire is  
35 anchored to the ground shall have a contrasting appearance with  
36 any surrounding vegetation. If the adjacent land is grazed, the  
37 area surrounding the anchor point shall be fenced. For purposes  
38 of this section, the term \* \* \* "area surrounding the anchor  
39 point \* \* \* " means an area not less than sixty-four (64) square  
40 feet whose outer boundary is at least four (4) feet from the  
41 anchor point; and

42 (d) One or more seven-foot safety sleeves shall be  
43 placed at each anchor point and shall extend from the anchor point  
44 along each guy wire attached to the anchor point.



45           A violation of this section is a misdemeanor.

46           (3) This section shall stand repealed on July 1, \* \* \* 2020.

47           **SECTION 2.** This act shall take effect and be in force from  
48 and after July 1, 2017.

