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Chapter No. 329  
13/SS01/R860PS  
CKL/BW/50

***SENATE BILL NO. 2769***

Originated in Senate Liz Welch Secretary

SENATE BILL NO. 2769

AN ACT TO AMEND SECTION 61-19-1, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON SAFETY MARKING REQUIREMENTS FOR CERTAIN ANEMOMETER TOWERS; AND FOR RELATED PURPOSES.

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

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

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

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

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

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

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

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

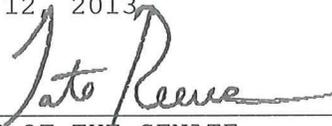
(d) One or more seven-foot safety sleeves shall be placed at each anchor point and shall extend from the anchor point along each guy wire attached to the anchor point.

A violation of this section is a misdemeanor.

(3) *This section shall stand repealed on July 1, \* \* \* 2017.*

**SECTION 2.** This act shall take effect and be in force from and after its passage.

PASSED BY THE SENATE  
February 12, 2013



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PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES  
February 28, 2013



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SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



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GOVERNOR

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