



Transcending Boundaries

2024 FOSSIL ENERGY & CARBON MANAGEMENT LEGISLATIVE DIGEST





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FOSSIL ENERGY & CARBON MANAGEMENT LEGISLATIVE DIGEST

**A Guide to Fossil Energy and Carbon Management
Legislation in the United States**

December 2024

Covering measures in 50 states and two US territories

ACKNOWLEDGMENTS

The Southern States Energy Board's Fossil Energy and Carbon Management Digest is compiled in collaboration with member states and territories and beyond.

The focus of our efforts highlights the work of our member states and territories first and foremost. The national component to this digest should not be considered exhaustive nor complete pursuant to the topics covered.

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MISSION STATEMENT

Through innovations in energy and environmental policies, programs, and technologies, the **Southern States Energy Board** enhances economic development and the quality of life in the South.



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INTRODUCTION

The December 2024 edition of our Fossil Energy and Carbon Management (FECM) Digest is designed to serve as a one-stop resource highlighting recently enacted fossil energy and carbon management legislation across the nation.

Issues covered within include drilling and extraction, resource utilization, taxation, technology development, emissions, and grid reliability as well as financial incentives and regulatory actions affecting carbon dioxide (CO₂) capture, storage, and utilization.

This document is not meant to be an exhaustive guide to all legislation referencing fossil fuels and carbon management, nor is it a complete guide to all state legislative efforts to assist their regulatory agencies and utilities on resource planning.

If you have a suggestion for additional legislation to include within this document, please contact our Communications Manager, Turney Foshee, via email at foshee@sseb.org.

CATEGORIES OF LEGISLATION

Fossil Energy

This category encompasses legislation governing fossil fuels from extraction to energy generation.

Carbon Capture & Related Technology

This portion collects all carbon capture, utilization, and storage (CCUS) measures.

Decarbonization

This section covers bills dealing with the topic of decarbonization, which includes emissions targets and financial incentives for certain low- and zero-emission resources.

Waste Management

This category covers acts related to fossil fuel waste that explore new means of recycling, reconditioning, or reusing sources of residual waste.

LEGISLATION PREFIXES

<i>B</i>	<i>Bill</i>
<i>HB</i>	<i>House Bill</i>
<i>HCR</i>	<i>House Concurrent Resolution</i>
<i>HJR</i>	<i>House Joint Resolution</i>
<i>HR</i>	<i>House Resolution</i>
<i>R</i>	<i>Resolution</i>
<i>SB</i>	<i>Senate Bill</i>
<i>SCR</i>	<i>Senate Concurrent Resolution</i>
<i>SJR</i>	<i>Senate Joint Resolution</i>
<i>SR</i>	<i>Senate Resolution</i>

ALABAMA

Fossil Energy

HB453 | Critical Infrastructure Protections

Sponsored by: Mooney

Revises definitions related to the crime of unauthorized entry of a critical infrastructure.

Specifically, the bill redefines critical infrastructure as a system or asset, whether physical or virtual, so vital to the United States that the incapacity or destruction of the system or asset would have a debilitating impact on security, national economic security, national public health, or national public safety.

The measure adds a polymer or rubber manufacturing facility and electrical power lines, power storage equipment, or other utility equipment to the list of critical infrastructure. It also amends references to natural gas or hydrocarbon storage to include a natural gas distribution facility, including, but not limited to, a pipeline interconnection, a city gate or town border station, a metering station, aboveground piping, and a regular station.

SB177 | Municipal Gas District Fees

Sponsored by: Gudger

Increases the amount of the director's fees authorized to be paid to the members of the board of directors and the chair for each meeting of a municipal gas district incorporated by two or more municipalities.

Carbon Capture & Related Technology

HB327 | Geologic Storage and Pore Space

Sponsored by: Baker

Defines "pore space" as rock formations that can store carbon dioxide and assigns ownership thereof to surface property owners.

The bill also sets conditions for carbon dioxide storage facility approval by the State Oil and Gas Board and outlines the creation of two funds for administrative and long-term monitoring purposes: the Carbon Dioxide Storage Facility Trust Fund and the Carbon Dioxide Storage Facility Administrative Fund.

The legislation also details the process for obtaining a certificate of project closure and completion and provides the state the authority to lease pore space for underground storage of carbon dioxide.

ALASKA

Carbon Capture & Related Technology

HB50 | Regulatory Agency and Carbon Capture on State Lands

Sponsored by: Rules Committee

Empowers regulatory agencies to apply for Class VI underground injection control permitting primacy from the federal government and establishes a framework for the application, storage, and potential remediation of carbon capture on state lands.

The measure establishes several funds for the deposit of moneys generated from the program.

ARKANSAS

Decarbonization

HR1021 / SR29 | Trade Policy

Sponsored by: Carr; Wallace

Encourages the U.S. Congress to enact trade policy that supports domestic businesses and workers while penalizing global polluters.

COLORADO

Fossil Energy

SB229 | NOx Emissions Reduction and Oil/Gas Regulation

Sponsored by: Priola, et al.

Requires the Division of Administration in the Department of Public Health and Environment to propose rules to the Air Quality Control Commission to reduce certain emissions of nitrogen oxides (NOx) generated by upstream oil and gas operations in certain areas of the state by 50 percent by 2030 relative to 2017 NOx emission levels.

The measure also requires the division to prepare an annual air quality enforcement benchmark report to summarize the division's statewide enforcement actions, including civil penalties assessed, and it provides that a compliance order issued by the division may include, in addition to civil penalties, a requirement to perform one or more projects to reduce the potential for a recurrence of a violation.

The bill clarifies that the division has authority to impose civil penalties for violations of requirements related to toxic air contaminants, fence-line and community-based monitoring, and petroleum refinery emissions monitoring.

The division is authorized by the act, in considering permit applications for new sources of NOx emissions in disproportionately impacted communities in an ozone nonattainment area, to consider more stringent methods of regulating the sources.

Further, the measure authorizes the director of the Energy and Carbon Management Commission (ECMC) to hire at least two community liaisons to serve as dedicated resources for disproportionately impacted communities, and it also authorizes funding of the community liaison positions from the energy and carbon management cash fund.

The legislation requires an oil and gas operator to obtain from the ECMC a permit as well as a license to conduct oil and gas operations, and it requires operators to take actions in accordance with ECMC rules to reduce certain emissions of NOx generated from oil and gas production and preproduction operations. The ECMC also is required, in consultation with the department, to adopt rules to require enhanced systems and practices to avoid, minimize, and mitigate emissions of ozone precursors from oil and gas operations at newly permitted oil and gas locations in certain parts of the state.

The bill limits a court's authority to postpone the effective date of an ECMC order suspending or revoking an operator's license to conduct oil and gas operations or a certificate of clearance, requiring the court to first consider various factors, including whether the moving party would face real, immediate, and irreparable injury if the effective date is not postponed and the effect that such postponement would have on the public interest. It also expands the ECMC's enforcement authority to include revoking an operator's license to conduct oil and gas operations and expands the types of violations that are subject to suspension of all of the operator's permits and certificates of clearance and the operator's license to conduct oil and gas operations to include violations resulting in a penalty of \$1,000,000 or more; violations that cause a major adverse impact, as defined by the ECMC by rule; and violations that cause death or serious bodily injury.

Finally, the act expands the scope of the orphaned wells mitigation enterprise to help finance the plugging, reclamation, and remediation of marginal wells that are at the highest risk of becoming orphaned.

Carbon Capture & Related Technology

HB1346 | Expansion of Energy Commission Authority

Sponsored by: McCormick, et al.

Expands the authority of the Energy and Carbon Management Commission to include the regulation of activities performed for the purpose of engaging in the injection and underground sequestration of carbon dioxide in pore space (geologic storage operations).

The commission may:

- Reimpose any regulatory responsibility or financial assurance obligation imposed on a person that exercises the right to control the conduct of geologic storage operations (geologic storage operator) if the geologic storage operator makes a material misrepresentation or omission that causes the commission to approve a site closure; and

- Assess and collect regulatory and permitting fees from geologic storage operators.

Prior law is changed by extending the deadline for the rulemaking to September 30, 2024, and requiring the evaluation of cumulative impacts to address impacts from all operations regulated by the commission. Wells drilled for the exclusive purpose of obtaining subsurface data or information to support operations are not subject to a cumulative impact analysis.

The director of the commission may hire and designate employees of the commission as administrative law judges who have the authority to administer proceedings on behalf of the commission.

The act changes the statute of limitations from one to three years after the discovery of the alleged violation and provides that the three-year statute of limitations period does not apply if information regarding the alleged violation is knowingly or willfully concealed by the alleged violator.

The act also expands the following energy and carbon management law areas to include geologic storage operations:

- Enforcement and civil penalty procedures;
- Use of the energy and carbon management cash fund by the commission;
- Mitigation of adverse environmental impacts by the commission or an operator; and
- State agency and local government authority over oil and gas development.

The law further establishes that:

- Ownership of a portion of a pore space necessary for geologic storage (sequestration estate) is vested in the owner of the overlying surface estate if the sequestration estate has not been separately severed, conveyed, or reserved;
- Any conveyance of the ownership of an overlying surface estate also conveys the grantor's ownership of any sequestration estate except in certain circumstances; and
- A conveyance of the ownership of a mineral estate does not convey the grantor's ownership in the sequestration estate unless the conveyance instrument provides for the conveyance.

Upon application of any interested person, the commission must hold a hearing and enter an order providing for the formation of a unit of one or more geologic storage resources (geologic storage unit) if the commission finds that the geologic storage unit is reasonably necessary to effectuate a geologic storage project. The order must include terms and conditions that are just and reasonable and establish a plan for operations of the geologic storage unit. An order is effective only if the plan has been approved by those persons that collectively own at least 75 percent of the geologic storage resources included in the geologic storage unit area (required approval) and the commission makes a finding in the order of the required approval.

The act also allows a local government to request that the director of the commission appoint a technical review board to assist the local government in analyzing and answering any technical questions regarding the local government's land use regulations.

Finally, the legislation requires the Department of Public Health and Environment to develop carbon dioxide accounting procedures for geologic storage operations. The commission must compile relevant data to support the carbon dioxide accounting procedures and work collaboratively with the department in implementing them. The commission and the department must also work collaboratively to address air emissions from geologic storage operations.

CONNECTICUT

HB 6851 – Hydrogen Task Force Plan

Sponsor: House Energy and Technology Committee

Establishes that on or before December 31, 2024, the Department of Energy and Environmental Protection must develop and approve a hydrogen strategic plan that includes current and projected cost differences between powering various industries and processes with hydrogen produced from renewable energy compared to fossil fuels.

FLORIDA

Fossil Energy

H0275 | Critical Infrastructure Protections

Sponsored by: Energy, Communications & Cybersecurity Subcommittee, et al.

Creates new criminal offenses involving critical infrastructure such as knowingly and intentionally improperly tampering with critical infrastructure that results in damage to such critical infrastructure that is \$200 or more, or results in the interruption or impairment of the function of critical infrastructure which costs \$200 or more in labor and supplies to restore, punishable as a second degree felony.

The measure also outlines three other offenses:

- Trespassing on critical infrastructure as to which notice against entering or remaining in is given, punishable as a third-degree felony;
- Accessing a computer, computer system, computer network, or electronic device owned, operated, or used by a critical infrastructure entity without authorization, punishable as a third-degree felony; and
- Physically tampering with or inserting a computer contaminant into a computer, computer system, computer network, or electronic device that causes a disruption in any service delivered by a critical infrastructure entity, punishable as a second-degree felony.

The bill defines “critical infrastructure” to mean any linear asset, or any of the following for which the owner or operator thereof has employed measures designed to exclude unauthorized persons, including, but not limited to, fences, barriers, guard posts, or signs prohibiting trespass:

- An electric power generation, transmission, or distribution facility, or a substation, a switching station, or an electrical control center;
- A chemical or rubber manufacturing or storage facility or a mining facility;
- A natural gas or compressed gas compressor station or storage facility;
- A gas processing plant, including a plant used in the processing, treatment, or fractionation of natural gas;
- A liquid natural gas or propane gas terminal or storage facility with a capacity of 4,000 gallons or more;
- A wireless or wired communications facility, including the tower, antennae, support structures, and related equipment;
- A water intake structure, water treatment facility, wastewater treatment plant, pump station, or lift station;
- A seaport, an airport, or spaceport territory;
- A railroad switching yard, trucking terminal, or other freight transportation facility;
- A transmission facility used by a federally licensed radio or television station;
- A military base or facility or a civilian defense industrial base conducting research and development of military weapons systems, subsystems, components, or parts; and
- A dam or other specified water control structures that are designed to maintain or control the level of navigable waterways.

According to the measure, a person who is found in a civil action to have improperly tampered with critical infrastructure based on a conviction is civilly liable to the owner or operator in an amount equal to three times the amount of the actual damage sustained by the owner or operator or three times any claim the owner or operator was required to pay, whichever is greater, for any personal injury, wrongful death, or property damage caused by the act.

S366 | Gas Safety Civil Penalties

Sponsored by: Appropriations Committee, et al.

Revises the maximum civil penalties for violations of Florida’s Gas Safety Law to be substantially similar to the maximum penalties provided under federal pipeline safety regulations.

The bill sets the state maximum penalties, until June 30, 2025, to be \$266,015 (increased from \$25,000) for each violation for each day such violation persists, and \$2,660,135, in aggregate, (up from \$500,000) for any related series of violations. It also authorizes the Public Service Commission to review the penalties established on an annual basis and revise as necessary in order to maintain its certification with the federal Pipeline and Hazardous Materials Safety Administration.

S998 | Liquefied Petroleum Provisions

Sponsored by: Fiscal Policy, et al.

Provides that a category I liquefied petroleum (LP) gas dealer license must include one licensed location, and may include up to two remote bulk storage, and that remote bulk storage locations must be located within 75 miles of the licensed location and included in the category I LP gas dealer license application.

The measure specifies that a competency exam must be completed within 90 days after the application has been accepted by the Department of Agriculture and Consumer Services (DACS).

The act also requires that category I or category V qualifiers must have one year of verifiable LP gas experience and that a person may not act as a master qualifier for more than one licensee.

The bill further empowers DACS to revoke the license of a qualifier or master qualifier who demonstrates a lack of trustworthiness, and it gives DACS the authority to condemn unsafe equipment and issue an immediate final order requiring the immediate removal of LP gas deemed a threat to public health.

LP gas technicians are required to provide their name and qualifier number on all work orders. The measure prohibits anyone other than those authorized from adding or removing gas from a customer's tank and gives DACS the authority to adopt rules to provide exceptions for emergencies.

H1645 | State Energy Policy

Sponsored by: Energy, Communications & Cybersecurity Subcommittee, et al.

Provides an updated statement of legislative intent concerning the state's energy policy and establishes a list of specific, fundamental policy goals to guide the state's energy policy.

The measure updates energy policy statements in current law and the duties of the Department of Agriculture and Consumer Services to be consistent with the state's energy policy goals, and it requires the Public Service Commission (PSC) to determine, upon notice by a public utility, whether an off-schedule power plant retirement is prudent and consistent with the state's energy policy goals.

Rural electric cooperatives and municipal electric utilities are required to have at least one mutual aid agreement with another electric utility for purposes of restoring power after a natural disaster.

The measure increases the minimum length of an intrastate natural gas pipeline that requires certification under the Natural Gas Transmission Pipeline Siting Act from 15 miles to 100 miles. It also defines the term "gross capacity" for purposes of the Florida Electrical Power Plant Siting Act. The bill provides that certain "resiliency facilities" owned and operated by a public utility that deploy natural gas reserves for temporary use during a system outage or natural disaster are a permitted use in certain land use categories and districts,

subject to setback and landscape criteria for other similar uses.

The bill allows for the recovery of certain facility relocation costs incurred by a natural gas utility through a charge separate from the utility's base rates.

It prohibits the construction or expansion of offshore wind energy facilities and certain wind turbines located on real property within a mile of the state's coastline or intracoastal waterways or on waters of the state.

The PSC is required to develop a plan to conduct an assessment of the security and resiliency of the state's electric grid and natural gas facilities against both physical threats and cyber threats.

The measure allows the PSC to approve utility programs for electric vehicle charging under certain conditions, and it repeals the Renewable Energy and Energy-Efficient Technologies Grant Program, Florida Green Government Grants, the Energy Economic Zone Pilot Program, and Qualified Energy Conservation Bonds provisions.

The act prohibits community development districts and homeowners' associations from prohibiting certain types or fuel sources of energy production and appliances that use such fuels.

Finally, the legislation requires the PSC to study and evaluate the technical and economic feasibility of using advanced nuclear power technologies and to submit a report of its findings and recommendations, and it requires the Department of Transportation to study and evaluate the potential development of hydrogen fueling infrastructure to support hydrogen-powered vehicles on the state highway system.

Decarbonization

S800 | Pollution Accountability

Sponsored by: Rodriguez

Urges Congress to support solutions that examine the pollution differential between United States production and that of other countries and to hold such foreign polluters accountable for pollution.

GEORGIA

Fossil Energy

HB1478 | Mid-State Energy Authority

Sponsored by: Blackmon, et al.

Creates the Mid-State Energy Authority as an institution to promote projects that benefit its member region, including, without limitation, acquiring an adequate source or sources of natural gas and thereafter the distribution of same to the natural gas systems of current and future customers.

SB422 | Gas Affiliate Investments

Sponsored by: Dixon, et al.

Modifies the percentage limitation as to the amount of the investments an electric membership corporation may make and maintain in a gas affiliate from 15 to 25 percent.

HAWAII

Decarbonization

HB2390 | Utilities' Consideration of Lifecycle GHG Emissions

Sponsored by: Saiki

Requires the Public Utilities Commission to explicitly consider the effect of the state's reliance on fossil fuels on lifecycle greenhouse gas emissions and gives the Public Utilities Commission the discretion to waive a lifecycle greenhouse gas emissions assessment for energy projects that do not involve combustion.

ILLINOIS

Fossil Energy

HB4954 | Mine Rescue Station Certification

Sponsored by: Johnson, et al.

Provides that the state's four mine rescue stations must be certified by the Mine Safety and Health Administration of the U.S. Department of Labor.

The act establishes that recovery operations intended solely for the purpose of securing property are not covered under a provision concerning state mine rescue services and additional mine rescue services for the purpose of securing property are the responsibility of the operator of the property.

According to the measure, mine rescue teams must be based out of each state mine rescue station to serve the Illinois coal industry as either a primary or secondary responder.

The bill also removes language providing that no person performing mine rescue services for a state mine rescue station and no operator of a mine whose employee participates as a member of a state mine rescue operation is liable in any civil action that arises under the laws of this state for damage or injury.

Carbon Capture & Related Technology

SB1289 | SAFE CCS Act for Carbon Capture Regulation

Sponsored by: Fine, et al.

Creates the Safety and Aid for the Environment in Carbon Capture and Sequestration Act (SAFE CCS Act).

The legislation outlines provisions for the following:

- Ownership and conveyance of pore space;
- Integration and unitization of ownership interests;
- Surface access for pore space owners;
- Compensation for damages to the surface; and
- Additional landowner rights.

The act also amends the Illinois Emergency Management Act by requiring the Illinois Emergency Management Agency and Office of Homeland Security to obtain training services and support for local emergency services and agencies for training, exercises, and equipment related to carbon dioxide pipelines and sequestration.

The Public Utilities Act is amended to require, prior to any pipeline for the transportation of carbon dioxide becoming operational, the Illinois Fire Service Institute to develop and offer at least one course for first responders who respond when carbon dioxide is released from a pipeline or a sequestration facility.

The measure provides that a provision related to entering upon, taking, or damaging private property for construction purposes by a public utility applies to the exercise of eminent domain powers by an owner or operator of a pipeline designed, constructed, and operated to transport and to sequester carbon dioxide to which the Illinois Commerce Commission has granted a certificate. It also establishes that the Common Carriers by Pipeline Article does not apply to a new carbon dioxide pipeline.

It amends the Carbon Dioxide Transportation and Sequestration Act in order to declare that the Illinois Commerce Commission may grant an application for a certificate of authority authorizing the construction and operation of a carbon dioxide pipeline if, additionally, the applicant has applied for any and all other federal permits necessary to construct and operate a carbon dioxide pipeline, the applicant has held at least two pre-filing public meetings to receive public comment concerning the proposed carbon dioxide pipeline in each county where the pipeline is to be located, the applicant has directly contacted the owner of each parcel of land located within 2 miles of the proposed pipeline route, advising them of the proposed pipeline route and of the date and time of each public meeting to be held in the county in which each landowner's property is located, and the applicant has prepared and submitted a detailed emergency operations plan.

The bill prohibits the commission from issuing any certificate of authority until the Pipeline and Hazardous Materials Safety Administration has adopted final revisions to its pipeline safety rules and the commission has verified that the submitted application complies with those finalized rules. Any applicant granted a certificate of authority may, under certain circumstances, enter upon the property of any landowner who has refused permission for entrance upon that property. It further establishes that any person or entity granted a certificate of authority for the construction and operation of a carbon dioxide pipeline must be assessed an annual fee per pipeline system operated in the state, plus an additional fee per mile of carbon dioxide pipeline in length that is physically operated or proposed to be operated in the state.

The legislation modifies the Environmental Protection Act by prohibiting a person from:

- Injecting any carbon dioxide stream produced by a carbon dioxide capture project into a Class II well or a Class VI well converted from a Class II well, for purposes of enhanced oil or gas recovery;
- Selling or transporting concentrated carbon dioxide stream produced by a carbon dioxide capture project for use in enhanced oil or gas recovery; and
- Operating a carbon sequestration activity in a manner that causes, threatens, or allows the release of carbon dioxide so as to tend to cause water pollution in the state.

Finally, the act establishes the Carbon Sequestration Long-Term Trust Fund, the Water Resources Fund, the Environmental Justice Grant Fund, and the Carbon Dioxide Sequestration Administrative Fund.

KENTUCKY

Fossil Energy

HB581 | Retain Filling Station Zoning

Sponsored by: Upchurch, et al.

Prohibits local governments from using the zoning process or adopting any measure to prohibit or restrict the ability of a retail filling station from locating in areas in which similar businesses may locate, to discriminate against the use or location of a retail filling station, or to treat retail filling stations differently from electric vehicle charging stations.

The measure also allows restrictions on retail filling stations, provided they are similar to those for other businesses, do not prohibit their operation, and are not in conflict with state or federal law.

HR70 / SR327 | Federal Permitting Reform

Sponsored by: Meade and Osborne; Stivers

Urges the U.S. Congress to reform federal permitting policies to accelerate the deployment of new energy infrastructure.

The resolution further asks federal lawmakers to work in good faith to enact legislation that reforms federal permitting and environmental review processes to promote economic and environmental stewardship by expediting the deployment of modern energy infrastructure. The reforms should enable faster and lower-cost construction of energy infrastructure of all kinds, without prejudice, including by considering steps to limit

excessive use of judicial processes to slow projects inappropriately, prevent inappropriate usage of the Clean Water Act and other laws to hamstring the lawful building of linear energy infrastructure, such as pipelines and transmission lines, and enact reforms to plan, permit, and pay for the necessary build-out of electricity transmission infrastructure to support a more reliable energy grid that lowers costs for consumers and businesses.

It also asks for the domestic build-out of a full array of modern energy technologies, including nuclear, emissions management, hydrogen, critical mineral mining and processing, and all other needs for a modern energy system.

SB174 | Underground Facility Damage

Sponsored by: Carpenter, Girdler, and Deneen

Requires that if damage is done to an underground gas or hazardous liquid facility and no attempt to locate the underground facility was made, the operator must include in its report to the Public Service Commission the distance from the communications terminal that the damage occurred.

The measure also requires that the Public Service Commission submit a report to the Legislative Research Commission on or before December 1, 2025, detailing the number of damage reports from communications service providers that occurred in the area where they are allowed to use nonintrusive excavation. The law exempts from the underground facility damage prevention requirements nonintrusive excavating of a depth not greater than 12 inches and within 12 inches of a communication service provider's own communications network.

SB349 | Energy Planning and Inventory Commission

Sponsored by: Mills, et al.

Establishes the Energy Planning and Inventory Commission, attaching it administratively to the University of Kentucky Center for Applied Energy Research (UK CAER).

The bill outlines the membership of the commission board and executive committee, including gubernatorial appointments subject to senate confirmation. It requires the election of two executive committee members from the board membership and sets terms for the commission and executive committee. It prohibits the Governor from reorganizing the commission or executive committee and allows the commission to employ an executive director, with Senate confirmation required.

The commission is tasked with studying energy generation topics and reviewing decommissioning notices from utilities. Annual reports with recommendations must be submitted to the Legislative Research Commission, the Governor, and the Public Service Commission by December 1. Utilities planning to retire coal, oil, or natural gas-fired plants must notify the executive committee 180 days before filing a retirement application. The commission must hold a public hearing and submit a report with findings and recommendations within specific timeframes. The reports must be included in the utility's retirement application to the Public Service Commission, which considers the findings before approving retirements.

The act grants the executive committee or its authorized executive director the standing to intervene in

Public Service Commission cases. It allows the commission to hire administrative staff or consultants if funding is available and mandates the commission's dissolution by December 31, 2035. Additionally, the bill sets requirements for the Public Service Commission to issue final orders within eight months for utility applications and outlines procedures for the inclusion of investigative reports in public records and hearings. It establishes criteria for retiring electric generating units, emphasizing the need for replacement capacity to match or exceed the retired unit's capacity value and net capability.

Decarbonization

HB136 | Voluntary Environmental Audits

Sponsored by: Bauman, Bowling, Flannery, and Gooch

Allows facilities regulated by air pollution control districts to conduct voluntary internal environmental audits and provides protections for the confidentiality of communications related to such audits.

Additionally, the measure prohibits air pollution control districts from seeking civil penalties for certain violations if the facility follows the law's disclosure provisions.

SB215 | Motor Vehicle Emissions Standards

Sponsored by: Carpenter, et al.

Prohibits the Transportation Cabinet or any other state agency or political subdivision from adopting or enforcing emissions standards on new motor vehicles that are identical to the standards established by California pursuant to the Clean Air Act.

LOUISIANA

Fossil Energy

HB418 | Oil and Gas Severance Tax Reduction

Sponsored by: Beaulieu, Landry, Wilder, and Romero

Reduces the existing oil and gas severance tax rates on inactive and orphan wells by half, applying a new rate of one-quarter of the full rate for inactive wells, and one-eighth for eligible orphan wells for ten years for all eligible production.

HB515 | Motor Vehicle Energy Sources

Sponsored by: Horton, et al.

Prohibits state agencies from restricting the use or sale of a motor vehicle based on the energy source used to power the motor vehicle, inclusive of the energy source used for propulsion or use of powering other functions of the motor vehicle.

HB879 | Oil Well Exploration Salt Water Transport

Sponsored by: Farnum

Adds trucks transporting household goods and salt water utilized in oil well exploration and production to the existing insurance and indemnity bonds required by the Public Service Commission.

HCR18 | Gas Export Approvals

Sponsored by: Beaulieu, et al.

Urges and requests the administration of President Biden to end its pause on pending approvals of liquefied natural gas exports.

SB247 | Motor Fuel Storage and Pipelines

Sponsored by: Cathey

Revises the Motor Fuels Underground Storage Tank Trust Dedicated Fund Account to specify that tanks used to store heating oil blended with hazardous waste are excluded from registration with the state.

The law also excludes pipeline facilities regulated under federal law and intrastate pipeline facilities determined by the secretary of U.S. Department of Transportation to be connected, operated, or intended to be capable of operating as an integral part of a pipeline, from registration.

SB285 | Brine Ownership

Sponsored by: Cathey, et al.

Provides that ownership of brine produced during oil and gas operations lies with the person who has the right to drill and produce from a pool.

The measure establishes that brine does not include salt water produced in oil or gas production and not saved or sold for the extraction of minerals.

SCR14 | Gas Export Benefits

Sponsored by: Hensgens

Requests the U.S. Department of Energy to consider the benefits of liquid natural gas exports.

SCR36 | Natural Gas Export Continuance

Sponsored by: Stine, et al.

Memorializes Congress to resume liquid natural gas exports.

The law also extends the deadline for Department of Energy and Natural Resources reduced-rate certification from June 30, 2023, to June 30, 2028.

Carbon Capture & Related Technology

HB169 | CO₂ Storage Facility Liability

Sponsored by: Carter

Modifies the civil liability of owners and operators of carbon dioxide storage facilities by changing the general limit on compensatory damages from noneconomic losses from \$250,000 per occurrence to \$250,000 per person and changes the limit for the exceptional cases, such as wrongful death and limb loss, from \$500,000 per occurrence to \$500,000 per person.

The measure also changes the maximum amount recoverable for noneconomic losses in the event the liability limits under new law are found to be unconstitutional or invalid from \$1 million per occurrence to \$1 million per person.

HB492 | Rights of Landowners

Sponsored by: Geymann

Clarifies that the protections afforded to landowners such that eminent domain cannot prejudice an owner's land or mineral rights not acquired for a geologic carbon dioxide storage facility, or necessary for use of acquired property, extends to all other uses not acquired for a storage facility or necessary for use of acquired property.

HB516 | Class VI Well Provisions

Sponsored by: Mack

Requires owners and operators of permitted carbon storage facilities to record with the clerk of court for any parish included in the area of review for the facility the Notice of Class VI permit and maps of the area of review identifying certain features, including wells, faults, bodies of water, aquifers, structures for human occupancy, roads, and state boundaries, but only to the extent such information is already required by administrative rules.

Storage facilities are required by the law to have emergency and remedial response plans in place prior to injection as required by administrative rule and requires storage facility owners and operators to provide parish governing authorities with a copy of the plan. Owners and operators must also conduct periodic testing and monitoring of ground water quality above the confining zone and report semi-annually to the office of conservation regarding such testing and monitoring.

Finally, the measure prohibits Class VI injection wellheads within 500 feet of a school or an "inhabited dwelling" rather than "residential property" that is not owned by the operator or by an owner in interest who has entered into a contract with the operator that allows for locating of the wellhead within 500 feet.

HB937 | Surface and Pore Space Liability

Sponsored by: Geymann

Provides that surface and pore space owners are not liable for any claims related to the sequestration of carbon dioxide just because they are landowners or have entered into an agreement for their property to be used for carbon dioxide sequestration.

HB966 | CO₂ Sequestration Unitization

Sponsored by: Geymann

Authorizes unitization for carbon dioxide sequestration provided the applicant of a proposed storage facility offers proper notice, a public hearing, and a finding that least three-fourths of the owners in interest within the storage unit have given written consent for geologic storage and further provides a method for calculating three-fourths owners in interest.

The measure also prohibits Class VI injection well drilling within 500 feet of any residential or commercial structure.

HR2 / SCR3 | Federal Permitting Reform

Sponsored by: Echols; Mizell

Urges the U.S. Congress to reform federal permitting policies to accelerate the deployment of new energy infrastructure.

The resolution further asks federal lawmakers to work in good faith to enact legislation that reforms federal permitting and environmental review processes to promote economic and environmental stewardship by expediting the deployment of modern energy infrastructure. The reforms should enable faster and lower-cost construction of energy infrastructure of all kinds, without prejudice, including by considering steps to limit excessive use of judicial processes to slow projects inappropriately, prevent inappropriate usage of the Clean Water Act and other laws to hamstring the lawful building of linear energy infrastructure, such as pipelines and transmission lines, and enact reforms to plan, permit, and pay for the necessary build-out of electricity transmission infrastructure to support a more reliable energy grid that lowers costs for consumers and businesses.

It also asks for the domestic build-out of a full array of modern energy technologies, including nuclear, emissions management, hydrogen, critical mineral mining and processing, and all other needs for a modern energy system.

Decarbonization

SB503 | Louisiana Community Air Monitoring Reliability Act

Sponsored by: Lambert

Creates the Louisiana Community Air Monitoring Reliability Act to establish standards for monitoring programs to ensure public access to accurate air quality information.

The measure requires community air monitoring programs that seek allege violations or noncompliance with the Clean Air Act, Louisiana Environmental Quality Act, or other rule or law to use the standards provided in federal law and the latest revision of EPA-approved testing and monitoring method.

SCR30 | Air Monitoring Study

Sponsored by: Fields and Knox

Urges and requests the Department of Environmental Quality to study implementation of real-time community air monitoring and notification systems.

MARYLAND

Fossil Energy

HB139 / SB171 | Notice of Utility Installation

Sponsored by: Charkoudian, et al.; Augustine

Adds gas and electric utility services to the types of services for which landlords of buildings that contain six or more residential units are required to provide a written notice to a tenant, before the initiation of a lease and each term thereafter, notifying the tenant of the total utility costs billed to the landlord in the immediately preceding year, divided by utility type.

For landlords of buildings that contain five or fewer residential dwelling units, if the landlord requires a tenant to make payments for water, sewer, gas, or electric utility services to the landlord, they must:

- Use a written lease that provides notice that the tenant is responsible for making payments for water, sewer, gas, or electric utility services to the landlord; and
- Provide a copy of the water, sewer, gas, or electric utility bill to the tenant.

SB1 | Electricity and Gas Sales

Sponsored by: Augustine

Alters regulatory requirements for the marketing and sale of electricity and gas by retail suppliers, utilities, and related entities.

Specifically, the bill:

- Establishes an energy salesperson license and an energy vendor license, subject to specified requirements;
- Updates and aligns licensing requirements for electricity and gas suppliers and enhances related penalties;
- Establishes new requirements for residential electricity supplier contracts;
- Establishes new reporting requirements for billing entities;

- Establishes new requirements related to electric and gas company marketing and cost recovery;
- Establishes additional requirements on green power marketing;
- Establishes additional requirements for residential energy retailers; and
- States the intent of the General Assembly that the Public Service Commission establish, staff, and fund a new division focused on retail supply.

The bill applies only prospectively and may not be applied or interpreted to have any effect on or application to any electricity supply agreement or gas supply agreement that is in effect on or before December 31, 2024.

The act also increases the maximum amount that the Public Service Commission (PSC) may assess public service companies each year to reimburse its expenses and requires the PSC to conduct a study on co-located load configuration.

HB396 | Energy and Fuel Tax Allocation

Sponsored by: Prince George's County Delegation

Enables the Prince George's County government to use the proceeds from the local sales and use tax on energy and fuel to meet the state funding requirements for the local school system under the maintenance of effort requirement and local share provision.

Decarbonization

HB864 | EmPOWER Maryland Energy Efficiency Program Targets

Sponsored by: Crosby and Qi

Modifies the EmPOWER Maryland Energy Efficiency Program by explicitly requiring electric companies, gas companies, and the Department of Housing and Community Development (DHCD) to adopt energy efficiency, conservation, demand response, and beneficial electrification measures to support greenhouse gas (GHG) emissions reductions.

The measure sets new annual targets for GHG emissions reductions, including specific targets for DHCD, and it expands the applicability of EmPOWER to specified gas companies and, if the Public Service Commission determines it is in the public interest, the Choptank Electric Cooperative.

HB990 | Emissions Reduction

Sponsored by: Stein

Makes state greenhouse gas (GHG) emissions reduction requirements apply to the production of cement by altering the definition of "manufacturing" for purposes of the Greenhouse Gas Emissions Reduction Act.

According to the bill, the Maryland Department of the Environment (MDE) must consider:

- The extent to which cement manufacturing is an energy-intensive and trade-exposed industry;

- Credit for early action investments made by cement producers to reduce emissions or for the manufacturing of alternative materials that result in GHG emissions reductions;
- The adoption of policies that encourage, facilitate, and offer financial incentives for the use of alternative fuel sources;
- The availability and cost of mature GHG abatement technologies; and
- Advancing policies that provide financial incentives to offset the costs of installing and transitioning to GHG emissions abatement technologies, including the manufacturing of materials and technology that results in GHG emissions reductions.

In considering the feasibility of regulation and the topics listed above, MDE must consult with impacted cement producers and other stakeholders.

SB258 | Energy Reduction in State-owned Buildings

Sponsored by: Education, Energy, and the Environment Committee

Implements the provisions of the Governor's Executive Order 01.01.2023.07, which requires that the state reduce energy consumption in state-owned buildings by 20 percent by 2031 compared with a fiscal 2018 baseline.

The bill lays out the following requirements:

- The Maryland Green Building Council (MGBC) must update the High-Performance Green Building Program to ensure that all new buildings and major renovations align with the state's goal to achieve net zero greenhouse gas (GHG) emissions by 2045;
- The Department of General Services (DGS) must identify potential candidates for energy savings performance contracts at state-owned facilities, and agencies must provide on-site support to DGS;
- Annually, DGS must analyze all state-owned buildings to identify the buildings with the highest energy use per square foot and the greatest GHG emissions;
- Annually, DGS must conduct an energy and GHG emissions audit of at least 2 million square feet of state-owned buildings;
- The audits must include best practices and identify low-cost measures for increasing energy efficiency and reducing GHG emissions;
- State agencies that receive energy audits must implement the identified measures to the fullest extent practicable;
- For one year following implementation, DGS must monitor each agency's energy use and GHG emissions, track changes resulting from the measures, and calculate any energy cost savings;
- Reductions in energy consumption and GHG emissions resulting from energy-saving initiatives must be recorded in a Comprehensive Utility Records Management Database;

- Each unit of state government must, each month or by request, provide DGS with access to available data about its facility and copies of the unit's utility bills;
- DGS must gather the data and information necessary to fully populate, update, and maintain the database;
- All units of state government must, in support of their core missions, implement projects and initiatives to conserve energy and reduce their GHG emissions; and
- Provisions promoting the state's energy efficiency GHG emissions goals must be included in requests for proposals for space to be leased to the state that would obligate the state to pay utility bills for the leased space.

SB808 | Anaerobic Digestion Projects

Sponsored by: Carozza, Gallion, and Hester

Directs the Department of Agriculture to coordinate with the Maryland Energy Administration, the Department of the Environment, the Department of Commerce, the University of Maryland College of Agriculture and Natural Resources, the University of Maryland Eastern Shore, electric companies, farmers, and industry to ensure anaerobic digestion technology projects are appropriately coordinated.

The department is further required, in coordination with certain agencies, to establish guidance for farmers on anaerobic digestion technology.

MISSISSIPPI

Fossil Energy

HB155 | Capital Improvements for Municipal Gas Facilities

Sponsored by: Faulkner

Revises the definition of "capital improvements" for the purposes of the local government capital improvements revolving loan programs to include repair, renovation, and improvement of municipal natural gas facilities.

HB1764 | Taxation on Oil and Gas Equipment Sales

Sponsored by: Powell

Provides that the sale of equipment and materials used in connection with geophysical surveying, exploring, developing, drilling, re-drilling, completing, working over, producing, distributing, or testing of oil, gas and other mineral resources must be taxed at the rate of four and one-half percent.

The bill also establishes that operators who rebill sales of equipment and materials to nonoperating working interest owners on behalf of a joint account through the joint interest billing (jib), where the sales tax has been paid or accrued by the operator may not be charged a sales tax on the jib as services income.

Further, the act removes from the contractor's tax contracts that exceed \$10,000 for the redrilling, or working over, or of drilling or completing an oil well or a gas well.

HCR52 | Extension for Gulf LNG Project Authorization

Sponsored by: Barton

Urges the Federal Energy Regulatory Commission to extend the authorization for the Gulf Liquid Natural Gas (LNG) Liquefaction Project.

Decarbonization

SB2059 | Bioenergy from Biomass as Renewable

Sponsored by: McCaughn

Establishes that bioenergy produced from biomass is considered renewable and carbon neutral.

Biomass is defined within the legislation as forest products manufacturing residuals, such as pulping liquors, paper recycling residuals, wastewater and processed water treatment plant residuals, and anaerobic digester biogas. The measure further defines biomass as:

- Harvest residues, including, without limitation, trees or portions of harvested trees;
- Downed wood from extreme weather events or natural disasters;
- Nonhazardous landscape or right-of-way trimmings and municipal trimmings;
- Plant material removed for purposes of invasive or noxious plant species control;
- Biowaste, including, without limitation, landfill gas;
- Forest biomass derived from residues created as a byproduct of timber harvesting;
- Forest management activities conducted for timber stand improvement or to increase yield, ecological restoration or to maintain or enhance forest health;
- Biomass materials described by the U.S. Environmental Protection Agency as fuels under 40 CFR Statute 241.1 et seq., as it existed on January 1, 2023; and
- Other used wood products, including, without limitation, crates and pallets.

The measure provides that bioenergy produced from biomass paired with bioenergy made with carbon capture and storage is carbon negative.

According to the bill, bioenergy produced from agricultural harvesting is considered renewable and carbon neutral and when the bioenergy produced from agricultural harvesting is paired with bioenergy with carbon capture and storage, the bioenergy is carbon negative.

MISSOURI

Fossil Energy

SB872 | Electric Transmission Tax Exemptions

Sponsored by: Eslinger and Baker

Creates a state and local sales tax exemption for utilities, equipment, and materials used to generate or transmit electricity.

A public utility realizing savings as a result of this exemption must provide the Public Service Commission information on the amount of savings realized and include a statement that such savings will be passed through to the public utility's rate determined in the public utility's next general rate proceeding.

NORTH CAROLINA

Fossil Energy

S607 | Regulatory Reform Act of 2024

Sponsored by: Alexander, Jarvis, and Ford

Amends statutes governing cost recovery for natural gas local distribution companies to provide that the Utilities Commission may authorize a rate adjustment mechanism for a company's recovery of costs to produce, purchase, and transport natural gas, which may include gas derived from renewable energy biomass resources.

For purposes of the provision, "renewable energy biomass" includes agricultural waste, animal waste, wood waste, spent pulping liquors, organic waste, combustible residues, combustible gases, energy crops, landfill methane, or domestic wastewater. The company is prohibited by the law from recovering the incremental cost of natural gas attributable to renewable energy biomass resources that exceeds the average system cost of gas unattributable to renewable energy biomass resources.

The measure updates the law governing contamination of a public water system to extend coverage under the statute to wastewater treatment facilities (in addition to public water systems), and it revises the Public Utilities Chapter of the General Statutes governing willful injury to property of a public utility to increase the punishment from a Class 1 misdemeanor to a Class C felony and authorize any person injured by reason of damage to property of a public utility to sue for and recover treble damages, punitive damages, costs, and attorneys' fees from the person who committed the violation, and any person who acts as an accessory before or after the fact, aids or abets, solicits, conspires, or lends material support to the violation.

The law exempts punitive damages that can be recovered from a person committing damage to a public water system, wastewater treatment facility, or manufacturing facility from the cap on such damages (three times the amount of compensatory damages or \$250,000, whichever is greater).

The act also expands the requirements for issuance of Clean Water Act certifications by the Department of Environmental Quality (DEQ) to projects located at an existing or former electric generating facility and

prohibits local government units from requiring an applicant for water or sewer service for residential development to agree to any condition not otherwise authorized by law, or to accept any offer by the applicant to consent to any condition not otherwise authorized by law.

The Coastal Resources Commission is required to permit replacement of a permanent erosion control structure originally permitted pursuant to a variance granted by the Commission prior to July 1, 1995, consisting of a field of geotextile sand tubes, the field of geotextile sand tubes with rock erosion control structures subject to the following criteria:

- The number of rock erosion control structures must be equal to or less than the number of geotextile sand tubes originally permitted;
- The structure(s) or field of structures may consist of groins, including T head or lollipop groins, or breakwaters to be approved by the Division of Coastal Management, in its discretion, or by variance from the Coastal Resources Commission; and
- The structure field may not be enlarged beyond the alongshore dimensions authorized under the original permit, and the aggregate overall length of the rock structures may not exceed the aggregate overall length of the geotextile sand tubes authorized under the original permit.

Regarding reporting, the bill moves the required Department of Health and Human Services (DHHS) report on coal combustion residual impoundments from quarterly to annually, before October 1st each year, and it authorizes DHHS to combine that report with its annual report to members of the General Assembly whose district contains a coal combustion residual impoundment. It also requires DEQ to report quarterly to the Joint Legislative Commission on Energy Policy on any applications received for permits required for siting or operation of natural gas pipelines and gas-fired electric generation facilities and activities of the department to process such applications, including tracking of processing times. The legislation also allows DEQ to submit its required annual report on the Stormwater Fund along with the other required water infrastructure reports, as a single report, and moves the report date for the Stormwater Fund report to November 1.

The measure further provides that food service establishments not involved in pumping or vacuuming a grease appurtenance do not have to obtain a septage management firm permit.

Finally, the act allows emergency grants from the Viable Utility Reserve to be awarded for more than three consecutive fiscal years.

Decarbonization

S802 | C-PACE Program

Sponsored by: Johnson, et al.

Establishes the Commercial Property Assessed Capital Expenditure Program (C-PACE Program) to be administered by the Economic Development Partnership of North Carolina (EDPNC) under the supervision of the Department of Commerce. Under the C-PACE Program, owners of qualifying commercial property

could apply to EDPNC for long-term financing provided by private lenders to pay for property improvements that include energy efficiency, water conservation, renewable energy, and resilience measures.

OHIO

Fossil Energy

SR121 | Support for Natural Gas Industry

Sponsored by: Rulli, et al.

States that natural gas and its production industry is vital to Ohio's economic future and maintaining the position of the United States as the world's leading energy producer and urges continued investment in natural gas infrastructure to make affordable energy available to every Ohioan and protect Ohio's energy security and the energy security of the United States and our global allies.

Decarbonization

SR296 | Opposition to Proposed EPA GHG Regulations

Sponsored by: Reineke, et al.

Urges the U.S. Environmental Protection Agency to withdraw its proposed regulations on greenhouse gas emissions and for the United States Congress to take action to prevent the regulations from taking effect.

OKLAHOMA

Fossil Energy

HB3031 | EMS Districts Motor Fuel Tax Exemption

Sponsored by: Maynard, Bullard, and Cantrell

Exempts emergency medical service districts from paying motor fuel tax.

HB4095 | Underground Facilities Act Amendment

Sponsored by: Caldwell, Paxton, and Boles

Amends the Oklahoma Underground Facilities Damage Prevention Act by revising the definition of underground facility to include projects in a private easement.

The measure also defines the following:

- 'Watch and protect' means an operator or its designated representative is present to observe an excavation within ten feet of the operator's marking of its existing underground facility;
- 'Pre-excavation meeting request' means a notice to underground facility operators to participate in scheduled meetings for the purpose of planning large projects and coordinate resources accordingly;
- and

- ‘Large projects’ mean excavation projects that either exceed five hundred linear feet in incorporated areas or one linear mile in unincorporated areas or the estimated duration of work is more than 90 days.

The measure prohibits excavation projects designated as “watch and protect” from taking place without the operator or designated representative present, and it requires that “watch and protect” projects submit contact information to the Oklahoma One-Call System.

Finally, the act establishes a notification process for large projects, and it requires the Oklahoma One-Call System to keep notifications and positive responses for at least four years.

SB2025 | Gross Production Tax Election for Oil

Sponsored by: Rader and Fetgatter

Allows oil and gas producers to make an election to report and pay the gross production tax on any oil that is retained by the producer and not sold at the time of production.

When that oil is eventually sold, the measure states that the purchaser of any oil transferred off a lease will not be liable for the gross production tax and will not be required to obtain a purchaser's reporting number for said oil.

SR30 | Federal Permitting Reform

Sponsored by: Paxton

Urges the U.S. Congress to reform federal permitting policies to accelerate the deployment of new energy infrastructure.

The resolution further asks federal lawmakers to work in good faith to enact legislation that reforms federal permitting and environmental review processes to promote economic and environmental stewardship by expediting the deployment of modern energy infrastructure. The reforms should enable faster and lower-cost construction of energy infrastructure of all kinds, without prejudice, including by considering steps to limit excessive use of judicial processes to slow projects inappropriately, prevent inappropriate usage of the Clean Water Act and other laws to hamstring the lawful building of linear energy infrastructure, such as pipelines and transmission lines, and enact reforms to plan, permit, and pay for the necessary build-out of electricity transmission infrastructure to support a more reliable energy grid that lowers costs for consumers and businesses.

It also asks for the domestic build-out of a full array of modern energy technologies, including nuclear, emissions management, hydrogen, critical mineral mining and processing, and all other needs for a modern energy system.

Carbon Capture & Related Technology

SB1370 | Seismic Monitoring Equipment Requirements

Sponsored by: Paxton, Boles, and Davis

Requires the Oklahoma Low Carbon Energy Initiative program to be responsible for satisfying equipment needs related to seismic activity monitoring.

SB1569 | Carbon Sequestration Act Modifications

Sponsored by: Rader, Boles, and Davis

Modifies the Oklahoma Carbon Sequestration Enhancement Act to limit the Conservation Commission's jurisdiction to terrestrial and agricultural carbon sequestration practices.

The provisions of the act may not include geologic carbon sequestration occurring in Underground Injection Control Class II (oil and gas) or Class VI (carbon dioxide storage) projects.

Decarbonization

SB1505 | Emission Reduction Tech Incentive Expansion

Sponsored by: Paxton, Boles, and Archer

Expands the provisions of the Oklahoma Emission Reduction Technology Incentive Act to include projects reducing emissions from downstream oil and gas projects as well as refining projects.

The definition of Emission Reduction Project is also expanded to include the installation of systems and/or equipment to reduce the per barrel consumption of energy. The measure also directs the Department of Environmental Quality to create an expenditure preapproval process for rebate applicants and creates a separate revolving fund for rebating downstream activities.

PENNSYLVANIA

Carbon Capture & Related Technology

SB831 | Carbon Capture and Sequestration Act

Sponsored by: Yaw, Robinson, Stefano, and Vogel

Creates the Carbon Capture and Sequestration Act to establish the statutory framework for carbon dioxide capture, utilization, and sequestration in the state.

The measure authorizes carbon sequestration projects in the state for the purpose of injecting and storing CO₂ into the pore space of an underground storage facility through at least one carbon dioxide injection well under a Underground Injection Control Class VI permit. Upon application to the Department of Environmental Protection, the storage operator must notify the surface property interest owners and subsurface property interest owners in the vicinity of the storage facility.

To operate a carbon sequestration project under this act, a storage operator must also design the project to isolate any existing or future production from the mineral, including coal or oil and gas estates, from the carbon dioxide plume. The storage operator must indicate whether the storage facility contains commercially valuable mineral, coal, or oil and gas estates. If it does, a permit may be issued only if the department is satisfied that these estates will not be adversely affected and have been addressed in an agreement with the subsurface property interest owners.

The legislation also establishes an associated Carbon Dioxide Storage Facility Fund that requires storage operators to pay to the department a fee on each ton of carbon dioxide injected for storage in an amount set by the Environmental Quality Board.

SOUTH CAROLINA

Fossil Energy

H5493 | Sustainable Aviation Fuel Use

Sponsored by: Hixon

Encourages taking all practical steps to increase the use of sustainable aviation fuel to ensure that the state is competitive in the industry.

S1329 | Sustainable Aviation Fuel Promotion

Sponsored by: Campsen and Alexander

Encourages the state to take all practical steps to increase the use of sustainable aviation fuel in the state, regionally, and nationally.

H5154 | Gas Utilities Penalty Adjustments

Sponsored by: West and Sandifer

Changes to the maximum civil penalty for gas utilities that violate specific duties related to safety standards, inspection and maintenance plans, and record keeping to mirror the maximum federal penalty.

H5395 | Lancaster Gas Authority Revenue Use

Sponsored by: Newton, Mitchell, Yow, and Neese

Removes the requirement that all unencumbered revenues from the system of the Lancaster County Natural Gas Authority be paid over to the municipalities served by the authority and provides that such funds must be used instead to expand the system or to reduce customer rates.

TENNESSEE

Fossil Energy

SB1615 | Interstate Mining Compact Extension

Sponsored by: Roberts

Extends the Interstate Mining Compact to June 30, 2032.

HB2286 | Underground Utility Damage Prevention Act

Sponsored by: Marsh

Revises the Underground Utility Damage Prevention Act to amend requirements for emergency excavations and impose civil penalties for violators of the act.

SB1984 | Eminent Domain for Brownfield Sites

Sponsored by: Niceley, Bowling, Stevens, and Pody

Prohibits the use of eminent domain to take land for the purpose of establishing private recreational facilities or parks, or for private recreational purposes, but authorizes eminent domain for the acquisition of brownfield projects, or the redevelopment of brownfield sites.

SB2834 | Offsite Utility Improvements Cost-Sharing

Sponsored by: Stevens

Revises the law relative to building codes and utilities.

Specifically, the measure states that when the owner of real property applies for utility service from a utility system for residential or commercial development on the owner's property and the utility has an existing utility line or system immediately adjacent to the real property, the utility system may not require the owner to construct or pay for the construction of any offsite utility improvements as a condition for service or permit issuance.

The act establishes that if a utility system determines that offsite utility improvements must be constructed to provide the utility service requested and to maintain the utility's current level of service and capacity to serve its existing customers, the utility system must require the owner to construct or pay for the construction of such offsite utility improvements. The utility system is also authorized to require the owner to upgrade the offsite utility improvements required to increase the utility system's capacity to serve future customers, but only pursuant to a cost-sharing arrangement between the owner and the utility system.

If the owner and the utility system are unable to agree upon the amount of the cost-sharing arrangement, the bill authorizes the owner to request the Tennessee board of utility regulation to determine the cost-sharing amount.

SB2324 | Gas Tax Grants for Marinas

Sponsored by: Yager, Walley, and Bowling

Requires that a grant awarded to a marina from the portion of gasoline tax revenues apportioned to the Wildlife Resources Fund for public and environmental infrastructure at marinas be based on the amount of gasoline sold at the marina receiving the grant.

SR0318 | Federal Permitting Reform

Sponsored by: Massey

Urges the U.S. Congress to reform federal permitting policies to accelerate the deployment of new energy infrastructure.

The resolution further asks federal lawmakers to work in good faith to enact legislation that reforms federal permitting and environmental review processes to promote economic and environmental stewardship by expediting the deployment of modern energy infrastructure. The reforms should enable faster and lower-cost construction of energy infrastructure of all kinds, without prejudice, including by considering steps to limit excessive use of judicial processes to slow projects inappropriately, prevent inappropriate usage of the Clean Water Act and other laws to hamstring the lawful building of linear energy infrastructure, such as pipelines and transmission lines, and enact reforms to plan, permit, and pay for the necessary build-out of electricity transmission infrastructure to support a more reliable energy grid that lowers costs for consumers and businesses.

It also asks for the domestic build-out of a full array of modern energy technologies, including nuclear, emissions management, hydrogen, critical mineral mining and processing, and all other needs for a modern energy system.

UTAH

Carbon Capture & Related Technology

HB0452 | Carbon Dioxide Storage Fund Creation

Sponsored by: Chew and Hinkins

Repeals two existing funds and replaces the repealed funds with the Carbon Dioxide Storage Fund.

The measure outlines the Board of Oil, Gas, and Mining's authority to impose fees and deposit money into the fund, and it addresses the holding of title by the state of storage facilities including oversight of facilities used to store carbon dioxide after the board issues a certificate of project completion.

VERMONT

Decarbonization

S0259 | Climate Superfund Cost Recovery Program

Sponsored by: Watson, et al.

Establishes the Climate Superfund Cost Recovery Program at the Agency of Natural Resources (ANR).

The purpose of the program is to hold parties responsible for covered greenhouse gas emissions between the covered period of January 1, 1995, and December 31, 2024, for the entity's share of the state's costs due to climate change.

Responsible parties are defined as fossil fuel extractors or crude oil refiners that ANR attributes one billion metric tons or more of covered greenhouse gases during the covered period. Responsible parties are strictly liable for cost recovery payments to the state.

According to the bill, an entity's cost recovery payments must be the same ratio or share of the costs to the state from the emissions of covered greenhouse gas emissions as the entity's ratio or share of the aggregate covered greenhouse gas emissions from fossil fuels during the covered period.

The act requires the state treasurer to conduct an assessment of the costs to the state and its residents of the emissions of covered greenhouse gases during the covered period.

VIRGINIA

Fossil Energy

SB737 | Energy Efficiency and Electrification Measures

Sponsored by: Surovell

Provides that, for the purposes of the Virginia Electric Utility Regulation Act, energy efficiency programs include electrification, including measures that electrify space heating, water heating, cooling, drying, cooking, industrial processes, and other building and industrial end uses that would otherwise be served by onsite, nonelectric fuels, provided that the electrification measures reduce site energy consumption and that, to the maximum extent practical, seek to combine with federally authorized customer rebates for heat pump technology.

The bill states that electricity consumption increases that result from State Corporation Commission-approved electrification measures may not be considered as a reduction in energy savings under the energy savings requirements and that utilities may apply verified total site energy reductions that are attributable to commission-approved electrification measures to the energy savings requirements. The measure specifies that energy efficiency programs and energy efficiency measures do not include electrification of any process or activity primarily fueled by natural gas.

HB199 / SB25 | Brownfield and Coal Mine Renewable Energy Funding

Sponsored by: Krizek and Lopez; Hackworth

Removes the prohibition on the allocation of funds to the Virginia Brownfield and Coal Mine Renewable Energy Grant Fund and Program unless federal funds are available in an amount that would cover the entire cost of such an allocation.

HB392 / SB248 | Petroleum Products Franchise Agreements

Sponsored by: Reaser; McPike and Salim

Modifies the Virginia Petroleum Products Franchise Act to provide that a term of an initial agreement between a jobber/distributor and a dealer relating to specific marketing premises may not be less than one year and that the term of all subsequent agreements between the jobber/distributor and the dealer relating to the same marketing premises may not be for less than three years.

The bill provides that rental provisions in any such agreement or franchise must be based on commercially fair and reasonable standards at a fair market value of the leased marketing premises under an objectively reasonable analysis, uniformly applied to all similarly situated dealers of the same jobber/distributor in the same geographic area. If a dealer believes the terms of the agreement offered do not meet a fair market value, such dealer may hire, at his expense, an independent third-party appraisal company from a list of appraisal companies provided by the jobber/distributor to provide a market valuation study.

The measure provides that such study must be for informational purposes only, not require either party to disclose confidential business information, and not bind either party. The provisions of the bill apply to Planning District 8 and to initial franchise agreements and renewals of franchise agreements entered into after July 1, 2024.

Decarbonization

HB71/ SB372 | Emissions Program Extension

Sponsored by: Bulova; Ebbin, Stuart, and Surovell

Extends from July 1, 2025, to July 1, 2026, the date by which certain combined sewer overflow (CSO) outfalls that discharge into the Chesapeake Bay Watershed must be in compliance with Virginia law, the federal Clean Water Act, and the Presumption Approach described in the EPA CSO Control Policy, unless a higher level of control is necessary to comply with a total maximum daily load.

HB213 | Emissions Inspection Fee Increase

Sponsored by: Watts; Marsden

Increases from \$3,500 to \$5,000 the amount the emissions inspection program coordinator may be paid per year from each motor vehicle emissions inspection station for the provision and maintenance of each set of required equipment.

The measure also increases from \$28 to \$30 the maximum amount that may be charged for an emissions inspection fee.

Waste Management

HB985 | Polycyclic Sealant Ban

Sponsored by: Tran and Carr

Prohibits the sale or distribution of any pavement sealant that contains polycyclic aromatic hydrocarbon concentrations greater than one percent by weight on or after July 1, 2024, except that a retailer may continue to sell any existing inventory that remains in stock on that date.

The bill also prohibits the application or use of such sealants on or after July 1, 2025. Any person who violates either prohibition is subject to a civil penalty of \$250 to be paid into the Virginia Environmental Emergency Response Fund.

WASHINGTON

Carbon Capture & Related Technology

SB6058 | Carbon Markets Link

Sponsored by: Nguyen, et al.

Facilitates the linkage of Washington's carbon market with the California-Quebec carbon market.

WEST VIRGINIA

Fossil Energy

HB4086 | Timber Harvesting and Mine Safety

Sponsored by: Smith

Authorizes the Division of Forestry to promulgate a legislative rule relating to sediment control during commercial timber-harvesting operations as it pertains to licensing and logger certification.

The measure authorizes the Office of Miners' Health, Safety and Training to promulgate a legislative rule relating to assessing health and safety violation penalties and a rule relating to the application process for the West Virginia Innovative Mine Safety Technology Tax Credit Act. It also authorizes the Miners' Health, Safety and Training to promulgate a legislative rule relating to operating diesel equipment in underground mines in West Virginia.

The Division of Natural Resources is required to promulgate a legislative rule relating to hunting, fishing and other outfitters and guides and a rule relating to revocation of hunting and fishing licenses.

Finally, the act authorizes the Public Energy Authority to promulgate a legislative rule relating to petitioning the Public Energy Authority for approval of decommissioning or deconstruction activities related to any coal, oil, or natural gas fueled power plant.

HB4850 | Oil and Gas Tax Sunset Clause Repeal

Sponsored by: Criss, et al.

Removes the sunset clause from the oil and gas personal property tax.

HB5268 | Enhanced Recovery in Horizontal Drilling

Sponsored by: Anderson, et al.

Clarifies that horizontal wells and horizontal drilling well work includes methods of enhanced recovery techniques.

Carbon Capture & Related Technology

HB5045 | EPA Approval for Carbon Sequestration

Sponsored by: Anderson, Zatezalo, Heckert, and Horst

Provides assurances to the U.S. Environmental Protection Agency regarding the state's application for primary enforcement authority over underground carbon dioxide sequestration programs.

The measure inserts cross references between the Underground Carbon Sequestration and Storage statutes and the West Virginia Water Pollution Control Act to protect water resources. It also declares that before a certificate of completion can be issued all the requirements of a Class VI underground injection control well permit must be met, including post injection site care and closure requirements. The act provides for liability when it is determined that fluid migration has occurred that causes or threatens underground sources of drinking water.

The bill also alters the minimum 10-year period between the end of injections and the issuance of the certificate to be either 50 years or another time period on a site-specific basis as determined by Department of Environmental Protection rules.

Finally, the act offers that a release of liability does not apply to owners or operators of a facility when liability arises from noncompliance with applicable laws, regulations, or permits prior to issuance of the certificate of completion.

SCR16 | Federal Permitting Reform

Sponsored by: Blair, et al.

Urges the U.S. Congress to reform federal permitting policies to accelerate the deployment of new energy infrastructure.

The resolution further asks federal lawmakers to work in good faith to enact legislation that reforms federal permitting and environmental review processes to promote economic and environmental stewardship by expediting the deployment of modern energy infrastructure. The reforms should enable faster and lower-cost construction of energy infrastructure of all kinds, without prejudice, including by considering steps to limit excessive use of judicial processes to slow projects inappropriately, prevent inappropriate usage of the Clean Water Act and other laws to hamstring the lawful building of linear energy infrastructure, such as pipelines and transmission lines, and enact reforms to plan, permit, and pay for the necessary build-out of electricity

transmission infrastructure to support a more reliable energy grid that lowers costs for consumers and businesses.

It also asks for the domestic build-out of a full array of modern energy technologies, including nuclear, emissions management, hydrogen, critical mineral mining and processing, and all other needs for a modern energy system.

Decarbonization

SB2 | Rules for Alternative Emission Limits

Sponsored by: Woodrum

Authorizes the Department of Environmental Protection to promulgate a legislative rule relating to alternative emission limitations during startup and shutdown operations, control of particulate matter air pollution from the combustion of fuel in indirect heat exchangers, control of air pollution from the operation of hot mix asphalt plants, control of air pollution from the operation of coal preparation plants, coal handling operations, and coal refuse disposal areas, control of air pollution from combustion of refuse, control of particulate matter air pollution from manufacturing processes and associated operations, and to promulgate a legislative rule relating to ambient air quality standards.

WYOMING

Carbon Capture & Related Technology

HB0032 | Injection Well and Sequestration Permitting

Sponsored by: Minerals, Business, and Economic Development Committee

Eliminates provisions related to the issuance of draft carbon sequestration permits by the Department of Environmental Quality and specifies that permits can be issued that authorize the construction of an injection well and sequestration.

The act specifies that one of several purposes for geologic sequestration unitization is to facilitate the utilization of pore space for sequestration. It amends requirements for the application for a unitization order from the Wyoming Oil and Gas Conservation Commission and modifies the required findings that the commission must make before approving a unitization application.

The bill changes requirements for notice that must be given to adjacent landowners and pore space owners whose pore space may be included in a unit area under a unitization order, and it clarifies that unitization orders cannot diminish the dominance of a mineral estate and cannot prohibit a mineral owner from developing the owner's minerals.

Decarbonization

SF0042 | Low-Carbon Definition and Requirements

Sponsored by: Minerals, Business and Economic Development Committee

Amends the definition of "low-carbon" and the low-carbon requirements to apply to public utilities that serve more than 10,000 Wyoming electric customers and specifies that the low-carbon standards must be met through dispatchable and reliable low-carbon electricity from an existing coal-fired generation unit or an equivalent new coal-fueled generation unit.

The deadline for utilities to comply with the low-carbon standards is extended from 2030 to 2033.

The act also requires the Public Service Commission to promulgate rules that require each public utility to, beginning July 1, 2024, file an annual report with the commission outlining the steps the utility is taking to determine the market for carbon dioxide from electricity generation and to achieve the low-carbon generation standard. The annual report the commission must submit to the legislature is required to go to the Joint Minerals, Business, and Economic Development Interim Committee and the Joint Corporations, Elections, and Political Subdivisions Interim Committee.

It also requires the commission to, not later than December 15, 2024, establish baseline standards to ensure adequate, reliable, and dispatchable power in Wyoming.

The measure prohibits rate recovery for the costs incurred in complying with low-carbon standards after the public utility has been authorized by the commission to collect these costs through base rates or another recovery mechanism.

The legislation also requires the Public Service Commission to promulgate rules to implement the act and directs the commission to amend deadlines for public utilities to submit final plans considering the changes to deadlines in the act.

ABOUT US

The Southern States Energy Board (SSEB) is a non-profit interstate compact organization created in 1960 and established under Public Laws 87-563 and 92-440. Sixteen southern states and two territories comprise the membership of SSEB: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, Puerto Rico, South Carolina, Tennessee, Texas, US Virgin Islands, Virginia, and West Virginia. Each jurisdiction is represented by the governor and a legislator from the House and Senate. A governor serves as the chair and legislators serve as vice-chair and treasurer. Ex-officio non-voting Board members include a federal representative appointed by the President of the United States, the Southern Legislative Conference Energy and Environment Committee Chair, and SSEB's executive director, who serves as secretary.

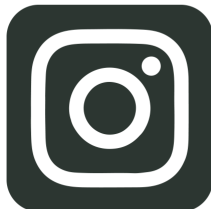
SSEB was created by state law and consented to by Congress with a broad mandate to contribute to the economic and community well-being of the southern region. The Board exercises this mandate through the creation of programs in the fields of energy and environmental policy research, development and implementation, science and technology exploration, and related areas of concern. SSEB serves its members directly by providing timely assistance designed to develop effective energy and environmental policies and programs and represents its members before governmental agencies at all levels.

OUR GOALS

- Perform essential services that provide direct scientific and technical assistance to state and territorial governments;
- Develop, promote, and recommend policies and programs on energy, environment, and economic development that encourage sustainable growth;
- Provide technical assistance to executive and legislative policy-makers and the private sector in order to achieve synthesis of energy, environment, and economic issues that ensure energy security and supply;
- Facilitate the implementation of energy and environmental policies between federal, state, territory, and local governments and the private sector;
- Sustain business development throughout the region by eliminating barriers to the use of efficient energy and environmental technologies; and
- Support improved energy efficient technologies that contribute to a clean global environment while protecting indigenous natural resources for future generations.



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