



*Transcending Boundaries*

# **Energy & Environment Legislative Digest 2025**



## 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.





*Transcending Boundaries*

# **Energy & Environment Legislative Digest**

**A Guide to Energy and Environmental  
Legislation in the South**

**Covering measures in sixteen states and two territories**

**Published September 2025**

# Acknowledgments

The Southern States Energy Board’s (SSEB) Legislative Digest is compiled each year in collaboration with member states and territories.

We would like to thank our Board members, legislative research personnel, and state administrative officials and their staff as well as many other SSEB friends for assisting us in compiling and reviewing the Digest.

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# INTRODUCTION

As the Secretary and Executive Director of the Southern States Energy Board, I am honored to introduce this edition of the Energy & Environment Legislative Digest, a compendium of energy and environmental (E&E) legislation enacted by our member states during this year's legislative sessions.



**Ken Nemeth**

*Executive Director &  
Secretary to the Board*

Since 1978, SSEB has published this Digest, and each year the Board ensures this document reflects legislative trends across the region. As a crucial resource for legislators, policymakers, industry stakeholders, and the public, our annual Digest offers clear insight into the evolving landscape of energy-related legislation, regulations, and resolutions.

With 488 E&E bills captured in this edition, the publication provides a consolidated view of the South's energy priorities and environmental strategies. Of these measures, 271 address energy topics and 217 pertain to environmental matters, with some overlapping both areas.

Bill summaries are categorized for easy comparison. Many measures reach across subject areas, and we place each one in its most relevant category. All legislation in the Digest also can be explored through interactive categories and maps on our website. Visit [sseb.org/publications/interactive-digest](https://sseb.org/publications/interactive-digest) to review our Interactive Digest.

Analyses of new laws enacted by our member states revealed several prominent themes. First, states are investing in grid modernization and reliability to ensure consistent, resilient electricity delivery amid projected demand growth and in preparation and response to severe weather events. Second, there is strong support for a diverse energy generation mix and innovation to drive economic development and attract investment. Third, states are exploring environmental suitability to responsibly address environmental impacts while maintaining affordable, reliable energy for households and businesses. Fourth, workforce development and economic competitiveness are prioritized through investments in energy-related training and support for energy industries to sustain long-term prosperity.

Utilities policy remained the leading priority, with more than 100 measures approved across all 18 SSEB member jurisdictions. These laws address rate design, utility governance, cost recovery, reliability planning, and customer protections and reinforce commitments to sustaining baseload power generation. While several states took a tailored approach to modifying existing utility laws, other states passed comprehensive bills. These include “Powering Growth” in **Alabama**, Senate Bill 4 in **Missouri**, the “South Carolina Energy Security Act” in **South Carolina**, and the “Power Generation and Consumption Act” in **West Virginia**.

Inland and industrial water quality and management also were a core focus, with nearly 70 measures between our members. Many states refined permitting, monitoring, and discharge standards, such as **Virginia's** targeted work on per- and polyfluoroalkyl substances within its water programs.

Fossil energy policy appeared in 14 states, reflecting continued attention to oil and gas operations, pipeline safety, produced-water management, and mining programs. Emergency Management and Homeland Security activity spanned 13 states. Legislatures strengthened critical infrastructure protection, clarified penalties for tampering or trespass, bolstered utility worker safety, and updated incident response authorities.

Cybersecurity and Digital Technology laws expanded across eight states. **Arkansas** created a data centers tax incentive and adjusted local authorities, **Georgia** expanded subpoena authority for electronic communication records related to cyber-enabled crimes, **Maryland** modernized statewide cybersecurity councils, **Texas** established grid-security planning and oversight, and **Florida** refined public records exemptions related to security. Together, these actions reflect growing attention to the digital resilience of energy and water systems and the community impacts of high-load facilities.

Carbon capture and storage (CCS) policies continued to align state statutes and permitting programs with federal regulatory requirements and long-term liability regimes. **Arkansas, Louisiana, Oklahoma, and West Virginia** updated elements of their CCS frameworks, including injection-well jurisdiction, long-term stewardship, pore-space access on state lands, and revenue dedication from carbon dioxide storage, or sequestration, on public property. Additional carbon management-related work in **Mississippi** and **Texas** addressed project development procedures and resource governance.

Nuclear energy received renewed emphasis in 10 states, including **Alabama, Arkansas, Kentucky, Louisiana, Mississippi, Oklahoma, South Carolina, Tennessee, Texas, and Virginia**. Legislatures supported workforce development and planning, promoted advanced technologies, and integrated nuclear resources into clean energy strategies, while preparing agencies and communities for next-generation deployment and emergency response coordination.

Transportation energy policy remained active across the region. States addressed electric vehicle charging programs and utility tariffs, created targeted grant or infrastructure initiatives, and considered alternative fuels, including sustainable aviation fuel incentives in **Arkansas**.

Environmental management and conservation priorities were evident throughout the region. **Maryland, Texas, and Virginia** advanced extensive work on water quality, solid and hazardous waste, and environmental health. **Alabama, Louisiana, Maryland, North Carolina, and Texas** emphasized coastal zone management, habitat, and natural-resources stewardship consistent with local conditions and coastal-community needs.

By advancing policies that strengthen reliable and diverse energy systems, safeguard natural resources, and support economic growth, these measures establish a durable foundation for the region's long-term resilience and prosperity. Collectively, they illustrate a thoughtful, forward-looking approach that positions the South to continue leading in enduring, balanced, and economically sound energy and environmental policy.

Whether you are a legislator who sponsored a bill featured in this publication or a reader seeking a clear view of the region's policy landscape, I invite you to explore this year's Legislative Digest and to make full use of the interactive tools available online.

# **Categories of Energy Legislation**

## **Carbon Capture & Storage**

This category collects the various measures affecting Carbon Capture & Storage studies, development, and deployment that are vital to ongoing decarbonization efforts.

## **Critical Minerals & Rare Earth Elements**

The topic of Critical Minerals & Rare Earth Elements covers all mining and refinement efforts for minerals required for the development of important technology, such as lithium-ion batteries for electric vehicles and rare earth elements necessary for the development of certain energy technologies like hydrogen power.

## **Cybersecurity & Digital Technology**

The Cybersecurity & Digital Technology category encompasses legislation related to cybersecurity, nascent computer technology, and increasingly robust artificial intelligence—all of which can have huge impacts related to grid security, energy efficiency, and solving problems specific to state and local governments as well as the energy industry.

## **Efficiency & Weatherization**

The category of Efficiency & Weatherization includes legislation pertaining to the development and promotion of energy efficient technologies and programs for buildings, homes, transportation, power systems, and industry as well as efforts to weatherize existing infrastructure, businesses, and homes.

## **Emergency Management & Homeland Security**

The Emergency Management and Homeland Security category addresses the role of state governments in response to natural or man-made emergencies involving critical energy infrastructure and supply. These emergencies may require intrastate, interstate, and/or national response and includes intentional acts of terrorism.

## **Fossil Energy**

The category of Fossil Energy addresses regulations on all aspects concerning the production, generation, and regulation of natural gas, oil, petroleum, coal, and motor fuels.

## **Nuclear Energy**

This topic covers various measures related to the study, funding, and development of nuclear energy technologies, including small modular nuclear reactors and the transport and storage of nuclear waste.

## **Renewable Energy**

The category of Renewable Energy includes legislation related to the incentives, barriers, and costs associated with the development and implementation of green energy sources, such as wind, solar, biomass, hydroelectric, and geothermal power.



## **Reorganization & Coordination**

Reorganization & Coordination is composed of legislation affecting the responsibilities or functions of existing state governmental agencies and departments that handle energy matters. Such legislation includes the creation of or changes in department responsibilities and the requirements regarding notice to or coordination of agencies.

## **Utilities**

The category of Utilities focuses on legislation affecting water, gas, and electric services provided by utility and power companies. The legislation enacted deals with changes in rates, production, distribution, services, operations, ratemaking, and the location of utility services.

## **Categories of Environmental Legislation**

### **Coastal Zone Management**

The category of Coastal Zone Management involves the preservation and enhancement of both offshore and onshore environments, including coastal landforms and marine ecosystems. Measures within this category include shore erosion controls, protection of aquatic vegetation and offshore reefs, and control of marine harvests.

### **Community & Environmental Health**

The category of Community & Environmental Health includes measures enacted to discourage and prevent activities that disrupt life-support systems for humans and other species, damage wildlife and human health, and produce nuisances such as noise. It also collects measures concerning environmental justice, which commonly addresses historically distressed communities and the equitable treatment of all people.

### **Emergency Management & Homeland Security**

The topic of Emergency Management and Homeland Security addresses the role of state governments in response to natural or man-made emergencies, which compromise environmental security and health. These emergencies may require intrastate, interstate and/or national response, and include intentional acts of terrorism.

### **Emissions & Pollution**

The Emissions & Pollution category includes legislation addressing various pollutants and greenhouse gases released and emitted into the atmosphere. Specifically, measures in this category include air quality control and emission standards, as well as electric, hybrid, and alternative fuel vehicle-related measures given the low- to zero-emission nature of such transportation.



## **Hazardous Waste**

The Hazardous Waste section contains legislation on toxic substance management. The primary purpose of this legislation is to control the production, transportation, use, and disposal of toxic substances and wastes.

## **Inland Water Quality & Management**

The topic of Inland Water Quality & Management consists of legislation related to the conservation, permitting, management, and protection of inland water sources. It also covers the management of stormwater, wastewater, sewage, and other related water quality issues. The category includes measures that provide for the capture and control of the water supply, management and protection of wetlands and watersheds, and the regulation of outdoor water activities such as fishing and boating.

## **Land Management**

The category of Land Management incorporates legislation concerning the management and protection of public and private lands and ecosystems. Legislation in this category includes land and growth management, land reclamation and restoration activities, including brownfield mitigation, soil erosion, abatement and prevention, environmental covenants, forestry and timber harvesting, hunting regulations, and park management.

## **Reorganization & Coordination**

Reorganization & Coordination is composed of legislation affecting the responsibilities and functions of existing state governmental agencies and departments that handle environmental matters. Such legislation includes the creation of or changes in department responsibilities and requirements regarding notice to or coordination of agencies.

## **Solid Waste**

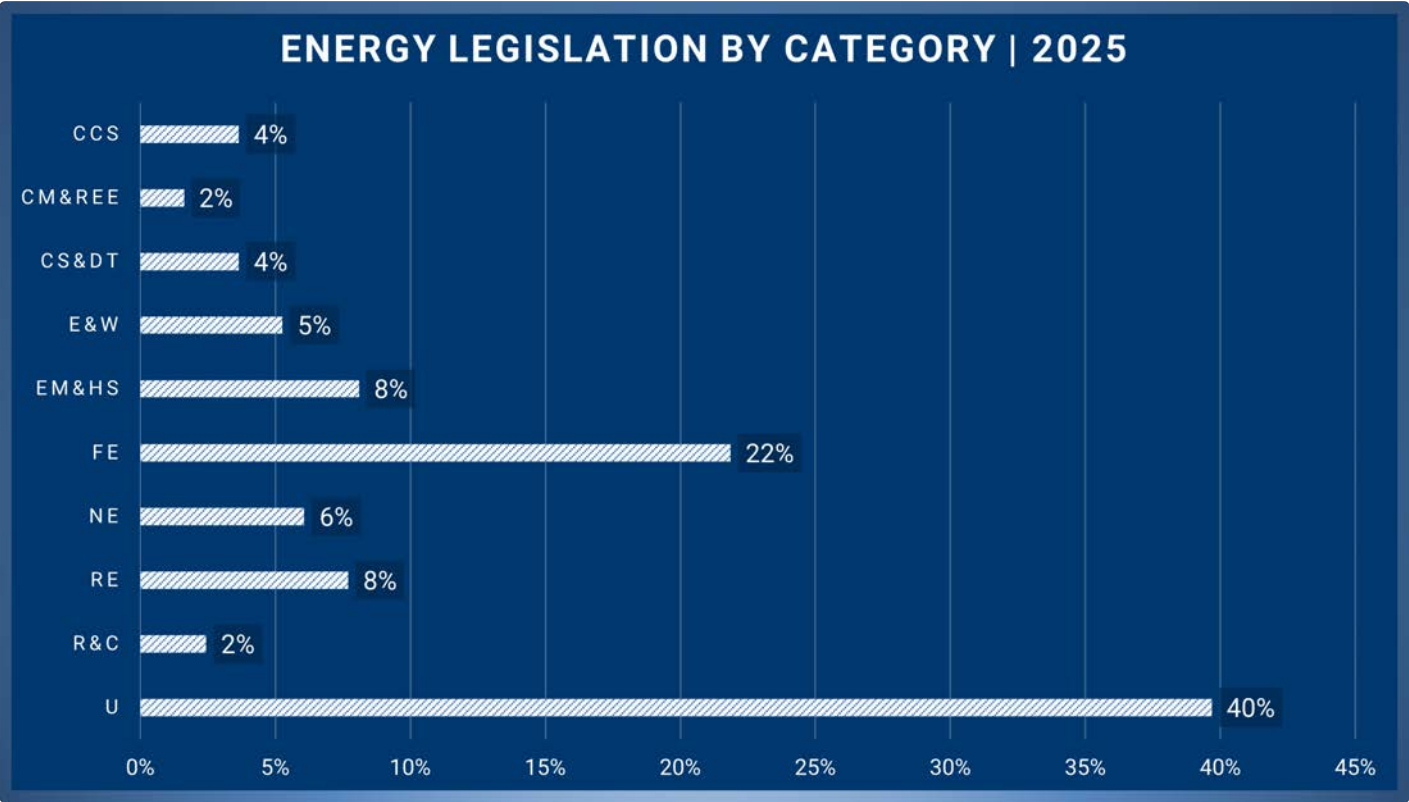
The category of Solid Waste captures legislation relating to the treatment, disposal, and/or recycling of refuse, scrap, chemical effluents, litter, and agricultural or industrial wastes.

Matrices and Graphs

The matrices and graphs on this and the following page illustrate energy and environmental legislative activity observed in SSEB member states and territories during this year’s legislative sessions.

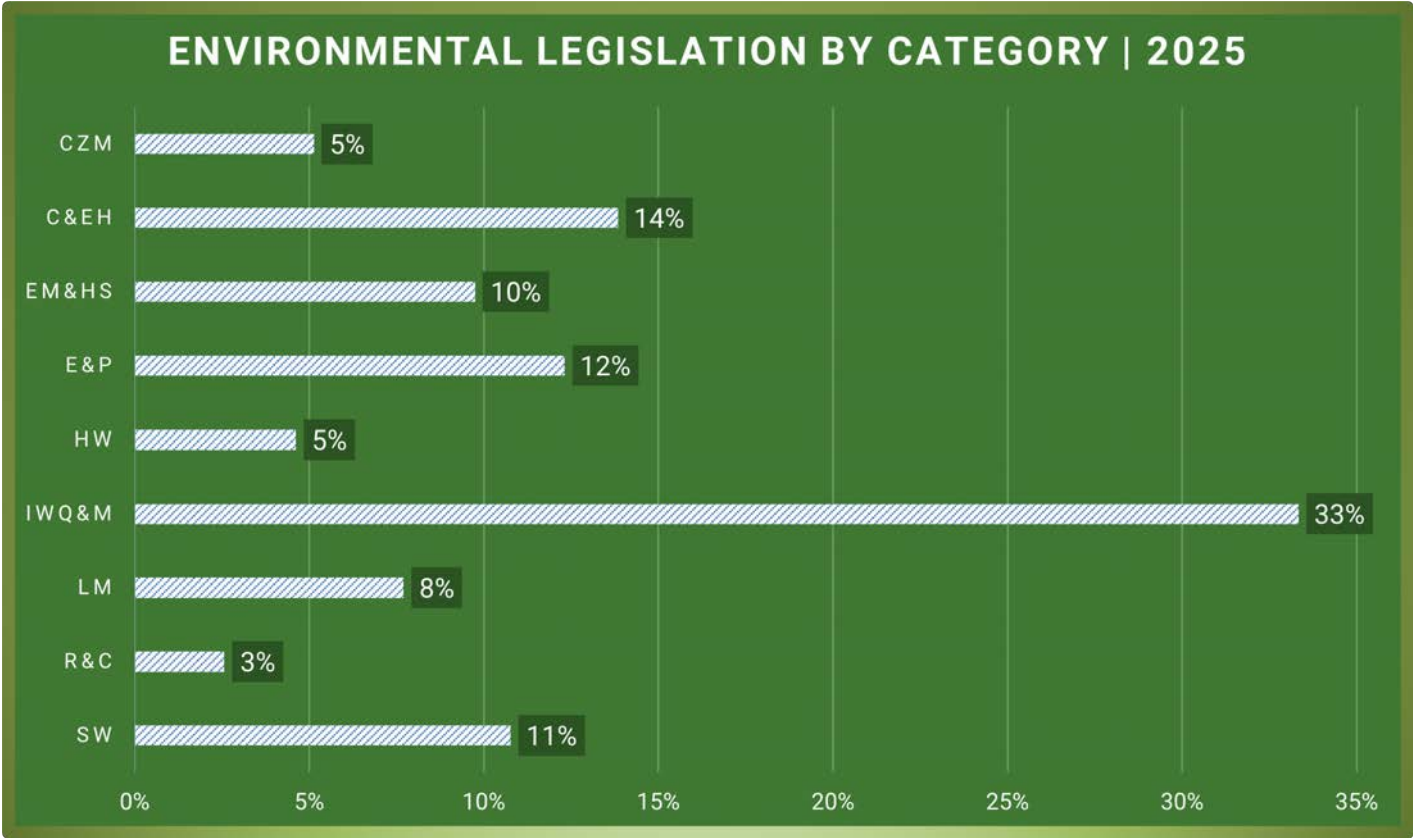
The bar charts show the collective number of bills enacted by category as percentages.

2025 Energy Legislation Matrix



Categories	AL	AR	FL	GA	KY	LA	MD	MS	MO	NC	OK	PR	SC	TN	TX	VI	VA	WV
CCS		✓				✓					✓							✓
CM&REE		✓						✓							✓		✓	
CS&DT		✓	✓	✓		✓	✓								✓		✓	✓
E&W		✓	✓			✓	✓	✓							✓		✓	
EM&HS	✓	✓			✓	✓								✓	✓	✓	✓	✓
FE		✓	✓	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓		✓	✓
NE	✓	✓			✓	✓		✓			✓		✓	✓	✓		✓	
RE	✓	✓				✓	✓	✓			✓	✓		✓	✓		✓	
R&C	✓	✓				✓	✓			✓								
U	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

2025 Environmental Legislation Matrix



Categories	AL	AR	FL	GA	KY	LA	MD	MS	MO	NC	OK	PR	SC	TN	TX	VI	VA	WV
CZM	✓					✓	✓	✓		✓					✓		✓	
C&EH			✓	✓		✓	✓	✓		✓	✓	✓	✓	✓	✓		✓	✓
EM&HS	✓		✓			✓		✓		✓				✓	✓		✓	✓
E&P		✓	✓		✓	✓	✓			✓	✓			✓	✓		✓	✓
HW	✓						✓	✓	✓						✓		✓	✓
IWQ&M	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓		✓	✓
LM		✓	✓	✓			✓	✓							✓		✓	✓
R&C		✓				✓	✓											✓
SW	✓	✓		✓	✓	✓	✓			✓		✓	✓	✓	✓	✓	✓	

# NATIONAL

**In Brief:** Outside our region, Legislatures moved on power markets and carbon management. OH's HB15 ends Electric Security Plans, requires market rate standard offers, separates utilities from generation, and broadens siting authority. IL's SB1697 creates a CCS regime with landowner pay, unitization at 75 percent consent, and escrow for unknown owners, while SB1723 bans sequestration at facilities intersecting a sole source aquifer. UT's HB70 slows coal retirements and adds a state purchase option. NY's S824 sets climate damages recovery at \$75B and extends the lookback to 2024. NH's HB123 pauses forest carbon contracts for a tax and forestry study. ND's HB1279 shifts coal conversion taxes to reward capture, while WY's SF17 adds a \$10 per ton EOR incentive. OR's HB3874 raises wind siting to 100 MW. WA's HB1329 tightens clean power procurement after 2025.

## Energy Legislation

### Carbon Capture & Storage

#### Colorado

##### **SB307 | Decarbonization Tax Credits Administration Cash Fund**

*Sponsored by Amabile, et al.*

Requires that money credited to the Decarbonization Tax Credits Administration Cash Fund not exceed the net revenue from the collection of oil and gas severance tax.

The measure also transfers \$2,500,000 from the Energy and Carbon Management Cash Fund to the aforementioned fund.

#### Hawaii

##### **HB1017 | Greenhouse Gas Sequestration Task Force**

*Sponsored by Nakamura*

Repeals the Greenhouse Gas Sequestration Task Force.

#### Illinois

##### **SB1697 | Carbon Capture Compensation**

*Sponsored by Fine, Guzman, Feigenholtz, and Hoffman*

Creates a compensation framework for affected landowners when required activities to construct a carbon dioxide pipeline cause damage under existing law.

The measure lists recoverable damages that include crops, trees, fences, roads, structures, improvements, livestock, loss of crop value, restoration of the surface estate and conservation practices, damage to soil productivity from compaction or rutting, and restoration of surface and subsurface drainage.

The law requires prompt payment when damages are undisputed, and it allows a prevailing landowner to recover reasonable attorney fees in an action for damages, directs applicants to comply with the agricultural impact mitigation agreement with the Department of Agriculture, and authorizes the department to halt construction temporarily for noncompliance.

The legislation revises procedures for integration and unitization of pore space within sequestration facilities, and it permits the Department of Natural Resources to issue integration orders when a sequestration operator has secured rights to at least 75 percent of the surface area overlying the facility.

The measure specifies petition contents, public notice and hearing requirements, and a \$250,000 application fee deposited into the Oil and Gas Resource Management Fund.

Further, the act conditions the effectiveness of an integration order on obtaining a Class VI well permit and a carbon sequestration permit, and it authorizes separate orders that set just compensation for each nonconsenting pore space owner after a hearing.

Compensation standards for nonconsenting pore space owners are defined within the measure, including just compensation and operations term and injection term payments made after the initiation of injection, and it excludes incentives such as signing bonuses paid before injection.

The legislation provides that unknown or nonlocatable pore space owners receive just compensation held in escrow for 20 years before transfer under the unclaimed property law if unclaimed.

The measure requires a sequestration operator to supply alternate potable water within 24 hours and alternate water for other uses within 30 days if monitoring shows a drinking water source is unsafe, and it continues those supplies until monitoring shows the water is safe.

Finally, the law clarifies factors used to determine whether pore space owners are similarly situated, including size, location, geology, surface restrictions, and use, applicable law at the time of agreements, title issues, proximity to infrastructure, interference with mineral rights, and fair market value.

### **SB1723 | Sole Source Aquifer Provisions**

*Sponsored by Faraci, et al.*

#### **Amends the Environmental Protection Act.**

The legislation provides that no person may conduct a carbon sequestration activity within a sequestration facility that overlies, underlies, or passes through a sole-source aquifer.

It specifies that this provision does not deprive the U.S. Environmental Protection Agency of the authority to deny a carbon sequestration permit.

## **Indiana**

### **SB457 | CO<sub>2</sub> Sequestration and Transport**

*Sponsored by Glick, Koch, and Soliday*

Revises existing law relating to carbon dioxide sequestration and transmission pipelines.

The legislation exempts a carbon dioxide transmission pipeline company from obtaining a certificate of authority if the company's project meets specified criteria.

The measure requires applicants or their contractors or subcontractors to submit evidence of requisite experience constructing, operating, and maintaining transmission pipelines before the Department of Natural Resources may grant a certificate of authority.

The law moves fee revenue collected for carbon dioxide transmission pipeline certificates from the Oil and Gas Environmental Fund to the State General Fund, and it provides that filing fees for carbon sequestration project permits are deposited in the state General Fund.

Involuntary integration orders issued by the department take effect fifteen days after the petitioner is issued a UIC Class VI permit.



Further, it amends the definition of UIC Class VI permit and adjusts the filing fee for carbon sequestration project permits.

The law requires storage operators to pay a fee of eight cents per metric ton of carbon dioxide injected during the previous calendar year, and the bill ends the Carbon Dioxide Storage Facility Trust Fund and directs the transfer of money in the fund to the State General Fund.

Finally, the legislation directs the department to establish a permit allowing persons to drill or operate carbon dioxide investigatory wells or to convert oil and gas wells for use in carbon dioxide investigations.

## **New Hampshire**

### **HB123 | Timber Tax and Carbon Sequestration Moratorium**

*Sponsored by Davis, et al.*

Defines pre-sequestration timber tax revenue, imposes a moratorium on sequestration contracts, and establishes a study commission.

The act enables municipalities to tax standing timber on properties enrolled in carbon sequestration programs by authorizing payment in lieu of taxes based on average timber revenues prior to enrollment.

It also prohibits entering into new carbon sequestration contracts on enrolled land while the moratorium is in force. The study commission must report on the fiscal effects of carbon sequestration, impacts on timber taxation, forest management practices, and logging industry health.

## **New Mexico**

### **HB458 | Carbon Dioxide Storage Stewardship Act**

*Sponsored by Chatfield, et al.*

Establishes the Geologic Carbon Dioxide Long-Term Stewardship Act and fund.

The legislation requires operators of geologic carbon sequestration projects to pay a fee of not less than ten cents per metric ton of carbon dioxide injected and directs deposit of those fees into the Stewardship Fund.

The Oil Conservation Division within the Energy, Minerals and Natural Resources Department is authorized to promulgate rules for enforcement of the act and regulation of geologic carbon sequestration.

The measure enables the Oil Conservation Commission to establish a fee schedule sufficient to meet the projected needs of the fund.

Finally, the legislation permits the State Land Office and other state agencies that own land to grant certifications of closure for sequestration units not less than five years after completion of injection activities.

## **North Dakota**

### **HB1279 | Coal Conversion Facilities Taxation**

*Sponsored by Novak, et al.*

Establishes a partial exemption from the coal conversion facilities tax and imposes a lignite research tax in its place.

The legislation extends the existing exemption from the state's share of the coal conversion privilege tax while phasing it out gradually over a five-year period beginning July 1, 2026.

The exemption schedule phases from 90 percent in 2026–27 to 35 percent by 2030–31.

The law shifts tax allocations by redirecting portions from the General Fund to the legacy fund for carbon dioxide capture incentives.

It also includes provisions that allow coal conversion facilities to exclude income from the sale and transportation of carbon dioxide used for enhanced oil or natural gas recovery when computing taxable gross receipts.

Facilities capturing a minimum of 20 percent of CO<sub>2</sub> emissions are eligible for a 20 percent exemption of the state's tax share, with an additional one percent exemption for each additional 2 percent captured, up to a maximum of 50 percent, over a 10-year period.

### **HCR3016 | Favoring CCS and EOR**

*Sponsored by Novak, et al.*

Encourages the state and federal government to maintain favorable policies that support the development of carbon capture technology and utilization of carbon dioxide as a commodity for advancing energy security as well as enhanced oil recovery.

## **Utah**

### **HB352 | Geologic Carbon Storage Amendments**

*Sponsored by Watkins and Winterton*

Clarifies that the Board of Oil, Gas, and Mining has enforcement authority over Class VI injection wells upon receiving primacy from the U.S. Environmental Protection Agency.

The measure provides for civil and criminal penalties for violations established by the board and the Division of Oil, Gas, and Mining, and it requires the board and the division to bring an enforcement action within two years of discovering a violation.

## **Wyoming**

### **SF17 | CO<sub>2</sub>-enhanced Oil Recovery Stimulus**

*Sponsored by Minerals, Business and Economic Development*

Provides an enhanced oil recovery stimulus to any person who provides carbon dioxide captured in Wyoming for use in enhanced oil recovery operations.

To receive the credit, the capture and utilization of carbon dioxide must qualify for and receive the 45Q federal tax credit.

The measure states the stimulus amount to be \$10 for each ton of carbon dioxide captured and utilized for enhanced oil recovery.

## **Critical Minerals & Rare Earth Elements**

### **Alaska**

#### **SJR19 | State Share of ANWR and National Petroleum Reserve**

*Sponsored by Bjorkman, et al.*

Urges the United States Congress to honor the terms of the Mineral Leasing Act and the Alaska Statehood Act, which provide that the state receive a 90 percent share of all bonuses, royalties, and rentals under leases received by the federal government for exploration, development, and production in the coastal plain of the Arctic National Wildlife Refuge.



The resolution also urges the United States Congress to provide that the state receive a 90 percent share of all bonuses, royalties, and rentals under leases received by the federal government for exploration, development, and production in the coastal plain of the National Petroleum Reserve in Alaska while maintaining the original local impact grant program.

## **North Dakota**

### **HB1459 | Critical Minerals and Rare Earth Minerals Definitions**

*Sponsored by Anderson, et al.*

Establishes regulatory definitions and a permitting framework for critical minerals and rare earth elements embedded in coal seams, along with royalty provisions and retroactive application.

The legislation defines “critical minerals” and “rare earth elements” occurring in coal deposits and grants authority to the Public Service Commission to oversee their extraction and reclamation.

The measure requires operators to obtain permits, furnish bonds, file production reports, protect freshwater and environmental safety, reclaim land, and allow the commission to inspect facilities and adopt necessary rules. It mandates a royalty of two and one-half percent of net profits from the sale of these minerals to owners, excluding coal itself.

Finally, the bill amends conveyance law by clarifying that unless excluded in writing, conveyances grant all minerals, and it enables voluntary lease renegotiation to reflect the inclusion of critical minerals or rare earths.

### **SB2302 | Modifications to State Land Leases**

*Sponsored by Patten, et al.*

Authorizes the Board of University and School Lands to cancel leases when a lessee intentionally fails to pursue or blocks development of natural resources, such as critical minerals and rare earth elements, on leased lands.

The legislation clarifies that the board’s authority to set and enforce lease terms supersedes prior law provisions that limited lease cancellation or modification.

## **Fossil Energy**

### **Arizona**

#### **SB1056 | Liquefied Petroleum Gas Containers**

*Sponsored by Gowan and Shamp*

Raises the criminal penalty for unauthorized filling, evacuation, or defacement of a liquefied petroleum gas container.

### **California**

#### **AB751 | Petroleum Facility Safety**

*Sponsored by Gipson*

Extends indefinitely an existing exemption from mandatory rest period requirements for safety-sensitive employees at petroleum facilities.

## **Colorado**

### **SB37 | Coal Transition Grants**

*Sponsored by Kirkmeyer, et al.*

Modifies state assistance for communities transitioning away from coal by prioritizing grant funding for areas most affected by coal mine and power plant closures.

### **SB286 | Petroleum Products Fees**

*Sponsored by Hinrichsen, et al.*

Authorizes spending from the Petroleum Storage Tank Fund for costs to relocate the state petroleum testing laboratory and imposes new civil penalties for selling substandard gasoline and for failing to file required air quality notices.

## **Idaho**

### **S1146 | Oil and Gas Conservation Commission Revisions**

*Sponsored by State Affairs Committee*

Revises membership qualifications for the Oil and Gas Conservation Commission by removing the requirement that a member hold a degree in geosciences or engineering.

## **Indiana**

### **SB178 | Clean Energy Resources**

*Sponsored by Buck, et al.*

Recognizes natural gas and propane as clean energy resources.

The measure defines clean energy or green energy to include natural gas, propane, wind energy, solar energy, photovoltaic cells and panels, hydropower, fuel cells, hydrogen, geothermal energy, and nuclear energy.

## **Michigan**

### **HR91 | Enbridge Line 5 Project Support**

*Sponsored by Prestin, et al.*

Supports President Trump's policies to increase the nation's energy infrastructure and security, which have facilitated emergency permitting for the Enbridge Line 5 project.

## **Montana**

### **HB351 | Clarify Point of Taxation**

*Sponsored by Sprunger*

Clarifies point of taxation for gasoline and special fuels taxes.

The act specifies that the point of taxation is the first licensed distributor who owns the gasoline or special fuel when it is withdrawn from a terminal or refinery in this state or when it is imported into this state.

The law revises definitions of gasoline, special fuel, import, and importer to reflect the point of taxation provisions and to clarify the roles of distributors and importers.

It also provides that gasoline and special fuel may not be exchanged tax-free between licensed distributors more than one time.

## **HJ17 | Regulatory Burdens Resolution**

*Sponsored by Fitzpatrick*

Urges Congress and the President to undertake actions to promote American energy by reforming and streamlining permitting obligations and repealing or revising environmental regulations and environmental reviews that do not align with national security interests.

The resolution states that orderly production and transmission of the United States' energy resources, unencumbered by unnecessary regulatory burdens, is essential to national security and the well-being of the American people.

Further, it recommends that the Environmental Protection Agency immediately review and, as appropriate, suspend, revise, or rescind regulations promulgated in May 2024, including coal and gas power plant rules that conflict with national energy objectives.

## **SB339 | Oil and Gas Production Damage Mitigation Account**

*Sponsored by Zolnikov*

Revises the distribution of oil and natural gas production taxes and modifies deposits to the Oil and Gas Production Damage Mitigation Account.

The law directs that, after allocations to special boards and a natural resource distribution account, remaining production tax revenues are deposited into the Oil and Gas Production Damage Mitigation Account, unless that account's unobligated cash balance equals or exceeds \$10 million, in which case funds remain in the Board of Oil and Gas Conservation's expense account or may be transferred by the Legislature for oil and gas impact-related purposes.

The measure establishes a biennial allocation of up to \$650,000 from interest income of the Resource Indemnity Trust Fund to maintain an unobligated balance of at least \$1 million in the Damage Mitigation Account, with any remainder directed to a Natural Resources Projects Fund.

## **SB365 | Siltation Structure Capacity at Mines**

*Sponsored by Usher*

Revises siltation structure capacity at mines.

Existing law requires operators of strip and underground mines to maintain siltation structures to impound runoff and control sediment.

The bill increases the minimum required storage capacity for those structures to enhance retention of sediment during significant rainfall events.

The measure directs the Department of Environmental Quality to adopt rules updating siltation structure specifications to reflect current best management practices for mine reclamation.

## **New Mexico**

### **SB9 | Pipeline Safety Act Violations Civil Penalty**

*Sponsored by Soules*

Enhances civil penalties for violations of the Pipeline Safety Act to conform to federal guidelines.

Existing law authorizes the Oil Conservation Commission to enforce the Pipeline Safety Act and to impose civil penalties of up to \$100,000 per violation for each day the violation persists, not to exceed \$1 million for related series of violations.

The legislation replaces the specified penalty amounts in existing law with the maximum civil penalty established under the new law.

The measure requires the commission to give notice of a violation and an opportunity to comply in cases of nonwillful violations and authorizes the commission to seek injunctive relief to secure compliance.

The bill provides that in determining penalty amounts the commission must consider factors including the nature and gravity of the violation, degree of culpability, history of prior violations, effect on business operations, good faith efforts to comply, ability to pay, and other matters as justice may require.

## **Utah**

### **HB18 | Petroleum Storage Tank Amendments**

*Sponsored by Eliason and Hinkins*

Updates Utah's petroleum storage tank regulatory framework by broadening the regulatory language to include both aboveground and underground tanks.

It further revises definitions, updates registration and compliance requirements, adjusts fee schedules and penalties, and strengthens oversight through compliance certification.

The measure also enhances accountability for installation companies and empowers the Department of Environmental Quality to ensure the Petroleum Storage Tank Fund remains financially solvent.

### **SB207 | Local Impact Mitigation Tax Act**

*Sponsored by Winterton and Walter*

Enacts the Local Impact Mitigation Tax Act, which establishes a state-local tax framework to address the impacts of oil and gas development.

Beginning May 7, 2025, with tax collection starting January 1, 2026, and concluding January 1, 2029, the bill requires oil and gas producers to pay a mitigation tax on in-state production.

The State Tax Commission may retain up to 1.5 percent of revenues for administrative costs and must allocate the remainder to county governments.

Counties cannot impose duplicate fees but must report how they use the funds.

## **Washington**

### **HB1912 | Fuel Exemptions**

*Sponsored by Dent, et al.*

Establishes an exemption for fuels used for agricultural purposes under the Climate Commitment Act.

The legislation amends the Climate Commitment Act to allow diesel, propane, and biodiesel used in agricultural operations to be exempt from the program's requirements.

## **Wyoming**

### **HB75 | Coal Severance Tax Rate**

*Sponsored by Angelos, et al.*

Reduces the severance tax rate for surface coal from 6.5 percent to 6 percent.

## **SF15 | Oil and Gas Conservation Commission Regulation of Pits**

*Sponsored by Minerals, Business and Economic Development*

Extends the Oil and Gas Conservation Commission's ability to regulate noncommercial reserve pits, produced water retention pits, and emergency overflow pits that are not located on a lease, unit, or communitized area.

## **SF20 | Oil and Gas Bonding Options and Bonding Pools**

*Sponsored by Minerals, Business and Economic Development*

Requires the Oil and Gas Conservation Commission to promulgate rules to establish a bonding pool program for oil and gas operators in Wyoming.

In addition to traditional bonding options that are required, operators may voluntarily participate in the bonding pool created in the act.

The bonding pool serves as a financial assurance for the plugging of dry or abandoned wells, any reclamation requirements, the forfeiture of any applicable bond (including federal bonds), and any other associated bonding requirements.

## **Nuclear Energy**

### **Colorado**

#### **HB1040 | Adding Nuclear Energy as a Clean Energy Resource**

*Sponsored by Valdez, et al.*

Includes nuclear energy in state definitions of clean energy and clean energy resources.

### **Hawaii**

#### **SCR136 | Nuclear Energy Working Group**

*Sponsored by Cruz, et al.*

Requests the Hawaii State Energy Office to convene a Nuclear Energy Working Group to study the feasibility of using advanced nuclear power technologies in the state.

### **Utah**

#### **HB249 | Nuclear Power Amendments**

*Sponsored by Albrecht and Millner*

Creates two entities within the Office of Energy Development: the Nuclear Energy Consortium and the Utah Energy Council, each with defined memberships and duties related to planning, coordination, and oversight of nuclear and other energy projects.

The measure introduces a process for designating electrical energy development zones, and it establishes the Electrical Energy Development Investment Fund to finance eligible energy infrastructure projects.

### **Washington**

#### **HB1018 | Fusion Energy Facilities**

*Sponsored by Shavers, et al.*

Adds fusion energy to facilities that may obtain site certification under existing law.

## **Wisconsin**

### **SB125 | Nuclear Power Siting Study**

*Sponsored by Bradley, et al.*

Directs a nuclear power siting study and sets time limits for agency action on certificates of public convenience and necessity for advanced nuclear projects.

The legislation requires the Public Service Commission to conduct a statewide study that identifies opportunities for nuclear and fusion energy at existing generation sites and at new locations and to deliver a report within 18 months.

The measure instructs the commission to consider federal siting analysis when evaluating potential sites, including the reuse of operating, retired, and coal plant locations.

## **Renewable Energy**

### **Montana**

#### **HB8 | Renewable Resource Bonds and Loans**

*Sponsored by Fitzpatrick*

Authorizes loans for renewable resource projects.

Existing law authorizes the renewable resource grant and loan program to fund projects that conserve, manage, develop, and preserve renewable resources.

The bill authorizes the Department of Natural Resources and Conservation to make loans to political subdivisions and local governments for approved renewable resource projects in amounts not to exceed specified loan amounts from the proceeds of coal severance tax bonds.

The legislation authorizes the issuance of coal severance tax bonds and appropriates bond proceeds to the debt service account in the state treasury for the benefit of the approved loans.

### **Oregon**

#### **HB3874 | Wind Energy Facility Jurisdiction**

*Sponsored by Helm, Gamba, and Owens*

Raises the wind energy facility threshold that triggers Energy Facility Siting Council review, increasing it from 50 megawatts to 100 megawatts.

The measure requires developers of wind energy projects with an average generating capacity of at least 50 megawatts but less than 100 megawatts to submit a decommissioning plan with financial assurances to restore the site to a useful, nonhazardous condition.

### **Washington**

#### **SB5175 | PV Module Stewardship and Takeback Program**

*Sponsored by Shewmake, Hasegawa, Nobles, and Wellman*

Establishes a photovoltaic (PV) module stewardship and takeback program.

The legislation extends the plan-submission deadline to January 31, 2030, or within 30 days of a first sale, whichever is later.

Manufacturers, or their designated stewardship organizations, are required to report annually on implementation and performance for the first program year onward, and prohibits any manufacturer, distributor, retailer, or installer from selling or offering for sale a PV module in or into the state without an approved stewardship plan beginning January 31, 2031.

The measure directs Ecology to establish a photovoltaic module advisory committee and to contract with a consultant to provide staff support, hire subcontractors for research on program issues, and draft and submit committee recommendations to Ecology by June 1, 2026.

## **Reorganization & Coordination**

### **Utah**

#### **HCR9 | Energy Compact with Idaho and Wyoming**

*Sponsored by Moss and Cullimore*

Calls upon the states of Wyoming and Idaho to join Utah in establishing an interstate compact focused on regional energy collaboration.

## **Utilities**

### **Idaho**

#### **H329 | Property Tax Exemptions for Utilities**

*Sponsored by Revenue and Taxation Committee*

Revises and adds to existing law to alter property tax assessments and exemptions for rate-regulated electric and gas utilities and to establish tax levies on rate-regulated utilities.

The act amends the assessment of operating property under existing law by updating the State Tax Commission's apportionment methodology for rate-regulated electric utility companies, rate-regulated affiliated gas companies, and rate-regulated gas companies and by repealing obsolete assessment provisions.

Further, the measure exempts from property taxation under existing law real estate, fixtures, and personal property owned, controlled, operated, or held for use by rate-regulated electric utility companies, rate-regulated affiliated gas companies, rate-regulated gas companies, and renewable energy producers, subject to existing energy taxes.

### **Maine**

#### **LD1726 | Integrated Distribution Grid Planning**

*Sponsored by Runte, et al.*

Enhances coordination and effectiveness of integrated distribution grid planning.

The law requires the Public Utilities Commission and the Efficiency Maine Trust to use an energy forecasting method for supply and demand that aligns with the method used by the Governor's Energy Office in preparing the comprehensive state energy plan.

The measure mandates that, in developing requests for proposals, conducting procurements, and negotiating agreements for energy and energy storage systems, the commission must consider grid plans submitted by large investor-owned transmission and distribution utilities.

### **North Dakota**

#### **HCR3015 | Bulk Power System Reliability**

*Sponsored by Novak, et al.*

Urges the Southwest Power Pool and Midcontinent Independent System Operator to promptly and decisively act to maintain the reliability of the bulk power system by addressing market failures that have allowed capacity retirements to outpace replacement.



## **New Jersey**

### **S1426 | Demonstration Program to Develop EV Charging Depots**

*Sponsored by Singleton*

Requires a request for proposal to establish a demonstration program to develop electric vehicle charging depots serviced by distributed energy resource charging centers for electric vehicle use.

## **Nevada**

### **SB417 | Rate-making Framework**

*Sponsored by Growth and Infrastructure*

Establishes a regulatory framework for alternative rate-making plans for natural gas and electric utilities.

The law directs the Public Utilities Commission of Nevada to adopt rules governing how natural gas utilities file applications for alternative rate-making plans.

It also sets forth requirements that such applications must meet before approval is granted.

The measure revises existing provisions related to alternative rate-making plans for electric utilities to align with the new process, and it allows utilities to deploy options such as formula rates and multi-year rate plans.

## **Ohio**

### **HB15 | Competitive Retail Electric Service Law**

*Sponsored by Klopfenstein, et al.*

Establishes a broad set of changes to the regulation and delivery of electricity in Ohio.

The legislation phases out Electric Security Plans (ESPs), which previously allowed electric utilities to offer a combination of generation and distribution services under regulatory oversight. In their place, the bill requires that all standard service offers (SSOs) be based on a market-rate offer.

The bill also redefines the role of electric distribution utilities by prohibiting them from owning or operating electric generation facilities.

Utilities are now limited to delivering electricity, not producing or selling it outside the SSO framework.

Further, the measure introduces a new billing option known as Consumer Choice Billing. This allows certified competitive suppliers to issue a single bill to customers that includes both supply and delivery charges.

The bill outlines standards and consumer protections to support this option and maintain transparency in billing practices.

On infrastructure and planning, HB 15 expands the authority of the Ohio Power Siting Board. It introduces new requirements for facility certifications and directs the board to collect and consider long-term forecasts of energy demand, including expected impacts from population growth and emerging technologies.

The legislation also updates the tax code to align with the proposed changes in utility structure, and it exempts generation-related personal property from certain taxes and adjusts tax obligations for transmission and distribution assets.

In addition, the bill repeals several subsidy programs established under previous laws, including support for specific generating facilities and solar programs.

Finally, the legislation includes provisions to support governmental aggregation programs, which allow local governments to negotiate group electricity supply contracts for residents.

## **Oregon**

### **HB2065 | Interconnection Process**

*Sponsored by Lively*

Allows a person to contract with a third party consultant for a public utility's required study or engineering evaluation in an application to interconnect a microgrid or community microgrid.

The act allows consultants to receive all technical data necessary from public utilities to conduct the study, and it requires utilities to approve or deny interconnection applications based on safety, reliability, and compliance with published standards.

### **HB2066 | Microgrid Regulatory Framework**

*Sponsored by Lively*

Directs the Public Utility Commission to establish a regulatory framework to allow the ownership, deployment, and use of microgrids and community microgrids within electric company service territories.

The act requires the Department of Consumer and Business Services to adopt rules that support the integration of buildings with community microgrids, and it allows local governments to adopt land use regulations corresponding to microgrid zones and to designate geographical areas as microgrid zones, subject to approval by the commission or a local consumer owned utility.

## **Rhode Island**

### **S843 | Excess Net-metering Credit Allocation**

*Sponsored by Murray, et al.*

Allows a property owner with eligible net-metering systems and a master meter to allocate excess net-metering credits to any meter on the property.

The measure redefines "eligible net-metering system" by removing the reference to the three-year average annual consumption at the system's location.

The Rhode Island Office of Energy Resources is required to redesign the community solar remote net-metering program to allow commercial or industrial anchor tenants (not exceeding fifty percent of a project), while allocating the remaining fifty percent to low- and moderate-income residents or those in disadvantaged or environmental justice communities.

The measure further mandates that the Office of Energy Resources file a benefit-cost analysis with any program proposal submitted to the Public Utilities Commission, and that the commission issue a decision within one hundred fifty days.

The legislation caps eligible net-metering systems at twenty megawatts per year for two years, reaching a total cap of forty megawatts, and specifies that such systems must be sited outside core forests, except on preferred development sites within them.

## **South Dakota**

### **HB1008 | Public Utilities Commission Hybrid Facility Regulation**

*Sponsored by Commerce and Energy*

Includes hybrid facilities as facilities regulated by the Public Utilities Commission.

The legislation defines “hybrid facility” as a new facility, or an expansion of 25 megawatts or more, that combines more than one type of electric storage system, energy conversion facility, solar energy facility, or wind energy facility with a single point of interconnection.

## **Utah**

### **HB70 | Decommissioned Asset Disposition Amendments**

*Sponsored by Walter and Owens*

Revises state law governing the decommissioning and disposal of electrical generation facilities and equipment by project entities.

The measure establishes definitions for key terms such as “decommissioning,” “disposal,” “project entity asset,” and “critical switchyard equipment,” and mandates that a project entity must provide at least 180 days’ notice to the Legislative Management Committee before decommissioning coal-fueled generation facilities or disposing of related assets.

The bill prohibits project entities from intentionally disabling station service power, disconnecting or altering interconnections or switchyard equipment, or initiating actions that require a new interconnection request and requires that at least one coal generation unit remain connected via existing interconnection infrastructure.

Further, it grants the state a two year fair-market-value purchase option for decommissioned assets beginning July 2, 2025.

The legislation also creates the Utah Energy Council, repeals the former Decommissioned Asset Disposition Authority, and transfers responsibilities to the new council.

The council is empowered to develop strategic plans, manage and enter into contracts for decommissioned assets, select facility operators via a competitive process based on set qualifications, and report annually to legislative and interim committees.

## **Washington**

### **HB1329 | Wholesale Power Purchases**

*Sponsored by Hunt, et al.*

Defines eligible wholesale power purchases under the Clean Energy Transformation Act.

The law specifies that electric utilities subject to the Clean Energy Transformation Act may enter into new wholesale power purchase agreements only for resources that qualify as nonemitting or renewable under existing law.

The measure prohibits utilities from procuring power from coal-fired generation facilities after December 31, 2025.

Further, it requires utilities to notify the Utilities and Transportation Commission of any new or amended wholesale power contracts and to demonstrate how each contract contributes toward the utility’s compliance requirements.

Finally, the bill allows the commission to grant limited exceptions for resource reliability, provided that any included contract term does not extend the use of nonqualifying resources beyond the applicable compliance deadlines.

# Environmental Legislation

## Community & Environmental Health

### Colorado

#### **SB55 | Youth Involvement in Environmental Justice**

*Sponsored by Marchman, et al.*

Adds youth representation to the state’s Environmental Justice Advisory Board by including a voting member (age 14–21) and a nonvoting youth member.

## Emissions & Pollution

### New York

#### **S824 | Climate Change Adaptation Cost Recovery Program**

*Sponsored by Krueger and Jackson*

Broadens the definition of climate-related threats by replacing the term “toxic” algal blooms with “harmful” algal blooms.

The bill increases the overall cost-recovery target for “repairing from and preparing for climate change-driven extreme events” from \$3 billion to \$75 billion and clarifies that this is a total amount rather than a recurring annual figure.

The act also extends the covered period for historical greenhouse gas emissions from 2000–2018 to 2000–2024, allowing more recent emissions to be included in the program's calculations.

It also specifies that payments are based on emissions attributable to fossil fuels, not just their products, and by changing references from a rate to a cost recovery amount.

### Montana

#### **HB808 | Montana Brownfields Program**

*Sponsored by Tuss*

Creates the Montana Brownfields Program.

The law defines brownfields and authorizes the Department of Environmental Quality to establish and administer a brownfields program. The department is directed to identify and assess properties suitable for remediation and redevelopment.

The legislation also establishes a Brownfields Revolving Loan Fund and authorizes grants and loans to eligible entities for cleanup activities.

### New Mexico

#### **SB21 | Pollutant Discharge Elimination System Act**

*Sponsored by Gonzales, Ortiz, and Wirth*

Requires permits for pollutant discharges into waters of the United States and enacts the Pollutant Discharge Elimination System Act.

Existing law requires the U.S. Environmental Protection Agency to administer the National Pollutant Discharge Elimination System program for point-source discharges into waters of the United States.

The legislation requires the Water Quality Control Commission to adopt rules to implement the discharge permitting program. The measure also assigns powers and duties to the New Mexico Environment Department to issue permits, enforce compliance, and maintain publicly accessible records.

## **Hazardous Waste**

### **Nebraska**

#### **LB247 | Integrated Solid Waste Management Act Fees**

*Sponsored by DeKay*

Terminates the use of the Petroleum Release Remedial Action Cash Fund for obligations relating to superfund sites and removes the Legislature's authority to transfer money from such fund to the Superfund Cost Share Cash Fund.

The measure also increases disposal fees for solid waste at landfills from \$1.25 to \$2.34 per specified cubic yard or ton and changes the remittance percentage of the fees collected from a 50/50 percent split to a 65/35 percent split between the Integrated Solid Waste Management Cash Fund and the Waste Reduction and Recycling Incentive Fund.

The act also authorizes proceeds from the Integrated Solid Waste Management Act to be used for costs of state expenses relating to cost share, operation, and maintenance of remediation of superfund sites.

### **New Jersey**

#### **A1413 | PFAS Prohibition**

*Sponsored by Haider, et al.*

Prohibits the sale, manufacture, distribution, and use of firefighting foam containing intentionally added perfluoroalkyl and polyfluoroalkyl (PFAS) substances and requires the Department of Environmental Protection to establish a collection and disposal program.

## **Inland Water Quality & Management**

### **New Mexico**

#### **HB137 | Strategic Water Supply Act**

*Sponsored by Brandt, et al.*

Establishes a Strategic Water Supply Program.

The legislation creates a Strategic Water Supply Program Fund to support projects that treat and utilize brackish water and produced water through grants and contracts.

It further authorizes the Environment Department and the Office of the State Engineer to administer the program and to make awards to qualifying projects.

## **Solid Waste**

### **Utah**

#### **SB159 | Environmental Quality Modifications**

*Sponsored by Stratton and Albrecht*

Establishes that the director of Division of Waste Management and Radiation Control may not approve an operation plan or permit for a nonhazardous solid waste Class VII landfill (exploration and production waste) unless the plan includes an engineered cell design with either an impervious synthetic liner system or an equivalent clay liner system.

Existing Class VII landfills permitted as of January 1, 2025, by the Division of Oil, Gas, and Mining may continue operating if they obtain a temporary permit by May 7, 2025.

However, by July 1, 2030, all landfill cells at these facilities must comply with the specified liner system requirements, according to the law.



# ALABAMA

**In Brief:** Alabama's legislative focus centered on grid-ready growth, hardening, and water governance. SB304 (Powering Growth Act) is the linchpin, creating an Energy Infrastructure Bank and procurement fund to finance long-lead equipment and utility projects, complementing SB271's fee preemption and HR367's study of relocation costs to lower buildout friction. Security and siting tighten via SB54's expanded critical-infrastructure crimes and SB91's military-buffer review of tall structures; nuclear optionality appears in SJR67 supporting U-233 acquisition and storage. Oversight and accountability rise in water and wastewater: SB330 regionalizes multi-county boards with ethics and reporting, SB137 lets certain private systems opt into PSC regulation, SB64 sets aquatic-plant removal standards, and SB297 updates OWR staffing.

## Energy Legislation

### Emergency Management & Homeland Security

#### **SB54 | Critical Infrastructure Crimes and Offenses**

*Sponsored by Roberts*

Enhances criminal penalties related to unauthorized entry and tampering at critical infrastructure facilities.

The measure expands the law to include communications service facilities, adds new Class C felony penalties for first-degree tampering with utilities, and adjusts misdemeanor thresholds.

### Nuclear Energy

#### **SJR67 | Supporting the Acquisition and Storage of Uranium-233**

*Sponsored by Albritton*

Supports the acquisition and secure storage of uranium-233 in Alabama.

### Renewable Energy

#### **SB91 | Tall Structures Near Military Installations**

*Sponsored by Kelley*

Requires local governments to obtain approval before allowing the construction of tall structures, such as wind energy facilities, in close proximity to military installations.

The measure enables those installations to seek legal enforcement against any construction that violates height or location restrictions.

### Reorganization & Coordination

#### **HB115 | Sunset Law for Alabama Board of Electrical Contractors**

*Sponsored by Simpson*

Extends the Sunset Law continuation of the Alabama Board of Electrical Contractors until October 1, 2026.



## **SJR92 | Alabama Growth Alliance and the Alabama Rural Roadmap Initiative Recommendations**

*Sponsored by Gudger*

Encourages the development of recommendations for the enhancement of rural Alabama through the Alabama Growth Alliance and the Alabama Rural Roadmap initiative.

## **Utilities**

### **HR367 | House Interim Commission on Utility Relocation Costs**

*Sponsored by Blackshear*

Establishes a House Interim Commission to examine the costs and financial implications associated with utility relocations during public infrastructure projects.

The resolution directs the commission to analyze relocation cost issues and report its findings and recommendations back to the Legislature during the 2026 session.

### **SB95 | Alabama Municipal Electric Authority Director Compensation**

*Sponsored by Chesteen*

Increases the allowable monthly compensation for Board members and the Chair of the Alabama Municipal Electric Authority.

The legislation raises the cap to \$1,750 for board members and \$2,000 for the Chair.

### **SB271 | Natural and Manufactured Gas Utility Fees**

*Sponsored by Allen*

Prohibits municipalities from charging natural or manufactured gas utilities certain fees or charges tied to public street use for construction or operations.

### **SB304 | Powering Growth Act**

*Sponsored by Orr*

Enacts the Powering Growth Act, which establishes the Alabama Energy Infrastructure Bank (AEIB) under the State Industrial Development Authority to finance qualified energy infrastructure projects.

The measure also creates the Strategic Energy Procurement Fund for acquiring long lead-time energy equipment. The AEIB can issue bonds, provide loans to electric providers, and must report annually to the Governor and Legislature.

## **Environmental Legislation**

### **Coastal Zone Management**

#### **HB437 | Shark Alert System**

*Sponsored by Faulkner*

Establishes a Shark Alert system for Gulf Coast beaches in Baldwin and Mobile Counties.

The Department of Conservation and Natural Resources must implement the system in coordination with local emergency management agencies, sending alerts to cell phones and first responders when unprovoked shark attacks or unusual shark activity are reported.

## **HJR220 | Coastal Alabama Insurance**

*Sponsored by Holk-Jones*

Acknowledges the findings of the Alabama Coastal Commercial Insurance Joint Interim Study Commission and states the Legislature's commitment to fostering an environment conducive to further study, stakeholder engagement, and prudent policy development aimed at securing the long-term economic and insurance stability of coastal Alabama.

## **Emergency Management & Homeland Security**

### **HB168 | Mutual Aid Agreements**

*Sponsored by Treadaway*

Empowers local emergency management organizations to establish mutual aid agreements with public and private agencies.

## **Hazardous Waste**

### **SB321 | Alabama Drycleaning Response Trust Fund Board Modifications**

*Sponsored by Singleton*

Reduces the minimum balance required in the Alabama Drycleaning Environmental Response Trust Fund from \$1 million to \$250,000.

The measure also removes provisions prohibiting the Alabama Department of Environmental Management from allowing other government units to become involved in contamination cleanup efforts.

## **Inland Water Quality & Management**

### **SB64 | Cutting Aquatic Plants**

*Sponsored by Livingston*

Establishes that any person engaging in the business of cutting, trimming, severing, or uprooting aquatic plants within public waters must employ commercially reasonable methods to remove any cut, trimmed, severed, or uprooted aquatic plant matter from public waters.

Violations of the law are a Class C misdemeanor and must be fined not less than \$500 to be remitted to the primary enforcing law enforcement agency, according to the measure.

### **SB137 | Jurisdiction of Private Sewer or Wastewater Systems**

*Sponsored by Waggoner*

Authorizes privately-owned sewer or wastewater systems affiliated with entities already regulated by the Public Service Commission to elect to come under the commission's jurisdiction.

The bill establishes a process for these affiliated systems to consolidate and become subject to rate and operational oversight by the commission.

### **SB297 | Office of Water Resources Duties and Exemptions**

*Sponsored by Gudger*

Designates the Division Chief of the Alabama Office of Water Resources as an exempt-service employee, appointed by the Director with the Governor's approval.

### **SB330 | Reconstituting Municipal Water Works Boards**

*Sponsored by Roberts*

Reconstitutes municipal water works boards that serve four or more counties into regional boards with revised composition, appointment methods, and member qualifications.

The bill strengthens accountability by imposing ethics laws, annual training requirements, mandatory financial/statistical reporting, and duties such as retaining a consulting engineer and updating articles of incorporation.

### **Solid Waste**

#### **SB293 | Lee County Solid Waste Collection Fees**

*Sponsored by Price*

Provides Lee County the authority to grant exemptions from mandatory solid waste collection program fees for low-income households.

# ARKANSAS

**In Brief:** In 2025, Arkansas focused on permitting, investment, and reliability. **HB1411** creates a regulatory framework for CCS and a long-term fund, while **HB1412** positions the Oil and Gas Commission to assume pipeline safety authority for CO<sub>2</sub> pipelines. Utility buildout accelerates through **SB307** and **SB610**, defining strategic investments and enabling cost recovery, paired with **SB596**'s retirement reviews and **SB463**'s approval of closure settlements. Industrial policy targets supply chains: **SB568** promotes lithium extraction, **HB1444** modifies data center exemptions, and **HB1303** layers production and credits for sustainable aviation fuel. Financing expands with **SB366**'s home resilience grants and **SB448**'s PACE-style upgrades. Nuclear optionality advances with **HB1572**, **HB1690**, and **HCR1009**. Governance tightens in water, waste, and siting through **HB1701**, **HB1762**, **SB492**, and **SB546**. **HB1657** amends the Arkansas Wood Energy Products and Forest Maintenance Income Tax Credit.

## Energy Legislation

### Carbon Capture & Storage

#### **HB1411 | Regulation of CCS**

*Sponsored by Shepherd and Stone*

Establishes Arkansas's regulatory and funding structure for carbon capture and underground storage (CCS).

The measure grants the Oil and Gas Commission authority over permitting, monitoring, closure, and enforcement of CCS (Class VI) wells, introduces financial assurance requirements and a structured fee system, and creates a dedicated fund designed to support long-term oversight, remediation, and public-safety protections.

#### **HB1412 | Pipeline Safety Authorizations**

*Sponsored by Shepherd and Stone*

Allows the Oil and Gas Commission to take various actions concerning pipeline facilities and the transport of hazardous liquids or carbon dioxide.

The commission may submit a satisfactory state certification and promulgate rules required by the United States Department of Transportation Pipeline and Hazardous Materials Safety Administration to assume authority over national safety standards and reporting requirements.

### Critical Minerals & Rare Earth Elements

#### **SB568 | Lithium Extraction and Development**

*Sponsored by Crowell, et al.*

Amends existing law to provide sales and use tax exemptions for lithium resource development and to revise severance tax provisions for lithium extraction.

Under prior law, sales and use tax applied to tangible personal property and services used in lithium extraction, development, and related activities.

This legislation exempts machinery, equipment, and materials used directly in lithium extraction, processing, and production, which includes drilling, pumping, and beneficiation operations, from sales and use tax.

Finally, it amends severance tax law to classify lithium as a taxable mineral and to apply a specified severance rate consistent with other classified minerals.

## **Cybersecurity & Digital Technology**

### **HB1444 | Sales and Use Tax Exemption for Data Centers**

*Sponsored by Pilkington and Dismang*

Modifies Arkansas's existing sales and use tax exemption for data centers.

Specifically, it updates definitions covering "data center equipment," "eligible data center costs," and distinctions between "qualified" and "large qualified" data centers, and it clarifies the exemption to include equipment, services, construction costs, and electricity used by qualifying facilities.

The bill implements an application and certification process through the Department of Finance and Administration and requires annual certification of investment and compensation thresholds to maintain eligibility.

### **HB1958 | Artificial Intelligence Policy**

*Sponsored by Meeks and English*

Amends existing law to require all public entities to create a policy governing the authorized use of artificial intelligence (AI) and automated decision tools.

The policy must define "artificial intelligence" as a machine-based system capable of making predictions, recommendations, or decisions that influence a real or virtual environment and "automated decision tool" as an AI system specifically developed or modified to make consequential decisions.

It must also require that an authorized human employee or designee make any final decision in the course of employment, regardless of the tool's recommendation.

Finally, the act also mandates development of a training program for employees on the appropriate use of AI and automated decision tools, public availability of the policy for state entities upon request, and creation of disciplinary procedures for policy violations.

## **Efficiency & Weatherization**

### **SB366 | Strengthen Arkansas Homes Act**

*Sponsored by Boyd and Johnson*

Establishes the Strengthen Arkansas Homes Program Fund to provide financial assistance for homeowners to enhance the resilience of their properties against wind and hail damage.

The program is designed to support the adoption of FORTIFIED Home construction standards, which are recognized for improving home safety and durability.

The fund will be administered by the Arkansas Insurance Commissioner, and contributions to the program will be exempt from taxes or other deductions.

Entities providing funds to the program will have the flexibility to set their own guidelines, provided they comply with existing laws and regulations.

## **SB448 | Financing Efficiency Improvements**

*Sponsored by Petty, Lundstrum, and Leding*

Authorizes the financing of energy efficiency improvements, alternative energy improvements, building resiliency improvements, and water conservation improvements.

The act amends the Property Assessed Clean Energy Capital Expenditure Act by renaming it the Property Assessed Capital Expenditure Act, and it establishes Property Assessed Clean Energy (PACE) districts empowered to issue bonds or enter financing agreements secured by special assessments on eligible properties.

The legislation permits district boards to create and administer PACE programs that allow commercial, industrial, agricultural, nonprofit, mixed-use, and multifamily residential property owners to obtain low-cost, long-term financing without upfront capital.

## **Emergency Management & Homeland Security**

### **HB1148 | Arkansas Privacy Act**

*Sponsored by Vaught, Johnson, and Milligan*

Amends existing law to create the Arkansas Privacy Act and to address images captured by unmanned aircraft systems (UAS).

The legislation establishes that property owners may bring a private cause of action when their privacy is violated by drones that capture, use, or disseminate images without consent.

It also prohibits UAS operators from capturing images of critical infrastructure or private property where individuals have a reasonable expectation of privacy and requires deletion of any images obtained in violation of the law.

### **HB1680 | Land Leases for Foreign Parties**

*Sponsored by Vaught, et al.*

Prevents foreign-owned businesses from leasing land in Arkansas.

The bill prohibits a prohibited foreign party, defined to include countries and entities subject to International Traffic in Arms Regulations, from acquiring real property or agricultural land interests within ten miles of critical infrastructure, such as military installations, utilities, or dams.

## **Fossil Energy**

### **HB1277 | Corrective Action Regarding Petroleum Storage Tanks**

*Sponsored by Gramlich and Boyd*

Modifies existing law to amend payment procedures for corrective actions regarding petroleum storage tanks and to allow third party consultants of owners and operators to be paid directly for corrective work.

Under prior law corrective action reimbursements were made only to tank owners and operators.

This bill authorizes direct payment to third party consultants upon verification of corrective action completion, and it also updates reimbursement guidelines to include consultant invoicing as an eligible expense under the corrective action fund.



### **HB1303 | Sustainable Aviation Fuel Incentive Act**

*Sponsored by Jean, et al.*

Creates the Sustainable Aviation Fuel Incentive Act and establishes income tax credits related to sustainable aviation fuel (SAF).

The bill offers two primary incentives: an income tax credit of 30 percent toward the cost of SAF production or processing equipment (with caps based on tax liability), and a credit for end-users equal to \$1.09 per gallon purchased beyond the first 100,000 gallons.

It also exempts utility services used in SAF production from Arkansas's gross receipts tax to lower operational costs, and targets large-scale manufacturing investments—requiring at least \$2 billion in capital and construction commencement by December 31, 2027.

### **HB1385 | Oil and Gas Commission Permitting Provisions**

*Sponsored by Cooper and Payton*

Requires the Oil and Gas Commission to provide written notice of a public hearing required by law on any permit to drill, deepen, re-enter, recomplete, or operate any Class II underground injection control (UIC) disposal well to each member of the General Assembly who represents the district in which the Class II UIC disposal well is located.

### **HB1656 | Oil and Gas Production and Conservation**

*Sponsored by Beck and Davis*

Amends existing law governing oil and gas production and the allocation of costs and proceeds following integration orders.

The bill defines “net proceeds” for the purposes of royalty and cost allocation, which clarifies the obligations of operators and working-interest owners to mineral owners, including ensuring minimum royalties (at least 1/8 of net proceeds), timely payment, and reimbursement for unauthorized deductions.

### **HB1735 | Underground Facilities Damage Prevention Act Amendments**

*Sponsored by Eaves and Irvin*

Amends the Arkansas Underground Facilities Damage Prevention Act to revise membership requirements for the One Call Center.

The measure requires all underground facility operators to join the One Call Center, subject to exemptions or waivers granted by the Arkansas Public Service Commission.

It imposes a \$1,000 fine for operators who fail to join within 30 days of a written warning and an additional \$500 fine for each subsequent 30-day period of non-compliance, while also clarifying that other persons owning or controlling underground facilities may apply for membership, and that membership is evidenced by participation and payment for services.

### **HB1937 | Mineral Rights and Oil and Gas Valuation**

*Sponsored by Jean, Stone, and Caldwell*

Defines methods for assessing mineral rights value under the state constitution and clarifies valuation for oil and gas well production equipment.

The legislation expands the definition of “well” to include oil wells, natural gas wells, and combination hydrocarbon production wells and directs county assessors to value production equipment at a standard rate of one dollar per foot of equipment length, excluding inoperable well casings.



It further separates the valuation of mineral interests from land ownership when the interests are held by different parties and requires assessors to apply an income-approach valuation based on average hydrocarbon prices from the previous calendar year.

#### **SB267 | Alternative Motor Fuel Development Act Repeal**

*Sponsored by Irvin and Moore*

Repeals the Arkansas Alternative Motor Fuel Development Act and the Alternative Motor Fuel Development Fund.

#### **SB275 | Liquefied Petroleum Gas Regulations**

*Sponsored by Irvin and Moore*

Amends the law concerning the regulation of liquefied petroleum gases by repealing several existing code provisions and updating board authority and requirements.

The bill repeals provisions related to odorization standards, mandatory safety meetings, container specifications, and retail seller account-statement requirements.

It authorizes the Liquefied Petroleum Gas Board to mandate initial and recurring training for employees of permit holders, requires proof of training completion, and establishes penalties for noncompliance.

The board is further empowered to adopt National Fire Protection Association standards and to streamline permit applications by removing the requirement for certified or notarized financial statements for various permit classes.

#### **SB478 | Arkansas Diesel Engine Freedom Act of 2025**

*Sponsored by Stubblefield*

Prohibits state enforcement of specified federal regulations governing diesel engine emissions and performance.

State agencies and political subdivisions may not adopt, enforce, or condition any permits, certificates, registrations, or other authorizations on compliance with federal emissions or performance standards for diesel engines.

### **Nuclear Energy**

#### **HB1572 | Technical Feasibility Study on New Nuclear Energy Generation**

*Sponsored by Ladyman, et al.*

Directs the Department of Energy and Environment to engage a qualified consulting firm to conduct a technical feasibility study on implementing nuclear energy generation in Arkansas.

The study will evaluate the economic and environmental impacts of nuclear energy, assess various reactor technologies and designs, and provide recommendations for potential implementation.

Preference will be given to firms with substantial U.S. nuclear operator experience and veteran ownership, according to the law.

#### **HB1690 | Nuclear Planning and Response Program Transfer**

*Sponsored by Pilkington and Davis*

Transfers the Nuclear Planning and Response Program from the Department of Health to the Division of Emergency Management.

The bill declares an emergency to ensure the program's continuity and effectiveness during the transition.

It specifies that the transfer will be effective on July 1, 2025, to align with the appropriation cycles of both departments.

The transfer does not affect existing rules, regulations, or standards established by the Department of Health prior to the effective date.

### **HCR1009 | Federal Funding Request**

*Sponsored by Ladyman and Penzo*

Complies with prior law to request federal funding for the next phase of a spent nuclear fuel recycling study.

The resolution petitions the Arkansas Congressional Delegation to introduce federal legislation aimed at rectifying the identified issues.

It also expresses the Legislature’s support for federal action and authorizes state officials to communicate this position to Congress.

## **Renewable Energy**

### **HB1525 | Agricultural Impact Remediation Agreements**

*Sponsored by Steimel and Irvin*

Amends Arkansas real property law to establish a new subchapter governing Agricultural Impact Remediation Agreements.

The bill provides a framework for landowners and renewable energy developers to negotiate agreements addressing agricultural impacts resulting from renewable energy projects.

### **SB437 | Arkansas Wind Energy Development Act**

*Sponsored by Hester, Hall, and Eaton*

Creates the Arkansas Wind Energy Development Act to establish standards and procedures for permitting and regulating wind energy facilities in the state.

The act sets forth legislative findings on the importance of Arkansas’s wind resources for economic growth and clean power, balancing development with protection of public health, safety, and the environment.

It defines key terms, such as “wind energy facility,” “owner,” and “abandonment,” and requires facility owners to obtain either a commercial general liability insurance policy consistent with industry standards or commission-approved self-insurance before construction.

It mandates consultation with state agencies, such as the Department of Energy and Environment, Pollution Control and Ecology Commission, and Game and Fish Commission, during permitting, prescribes decommissioning and abandonment obligations, and authorizes the Arkansas Public Service Commission to enforce compliance with location, construction, and operational criteria.

## **Reorganization & Coordination**

### **SB280 | Oil and Gas Commission Roles and Rules**

*Sponsored by Irvin*

Designates the Oil and Gas Commission as the custodian of all property and the disbursing agent of all funds of the Office of the State Geologist.

The bill clarifies the roles and responsibilities of the State Geologist and the Director of Production and Conservation within the Office of the State Geologist.

Specifically, it shifts the custodial and financial management duties from the State Geologist to the Director.

Under the revised law, the Director, rather than the State Geologist, will now be the custodian of all property held in the name of the office and will serve as the disbursing agent for all funds available to the office, acting in consultation with the Secretary of the Department of Energy and Environment.

The State Geologist will continue to be appointed by and serve at the pleasure of the Governor, report to the Director and Secretary, and maintain responsibilities for administering provisions of the subchapter and performing requested services.

The bill also preserves the State Geologist's ability to delegate functions and duties as needed for effective office operations and continues to require the State Geologist to provide advice on geological matters to key state leadership.

## **Utilities**

### **HB1814 | Municipal Authority Over Utilities**

*Sponsored by Gazaway and Johnson*

Modifies municipal powers to clarify which utility services a city or town may own, operate, or regulate within its corporate limits.

It also revises the definition of “public utility” to specify the types of services, such as water, wastewater, gas, electricity, and telecommunications, that fall under state regulation and to distinguish them from municipally owned or nonprofit systems exempt from certain requirements.

### **SB307 | Generating Arkansas Jobs Act of 2025**

*Sponsored by Dismang, et al.*

Allows electric utilities to recover construction costs incrementally, rather than capitalizing interest, on new generation and infrastructure projects.

The measure allows the Arkansas Public Service Commission to review and approve such “strategic investments” within six months, requires ongoing annual audits, and authorizes recovery via rate riders.

The bill encompasses new generating facilities (100 MW+), energy storage (50 MW+), transmission upgrades, and advanced technologies including modular nuclear reactors, hydrogen, and geothermal systems.

### **SB463 | Settlement Agreements**

*Sponsored by McKee, et al.*

Requires the Public Service Commission to approve or deny settlement agreements concerning the closure or elimination of electric generation units or transmission assets.

The legislation applies to any settlement agreement filed with the commission under its statutory authority over electric utilities, ensures that no generation unit may be closed nor transmission asset eliminated without explicit commission oversight, and maintains system reliability by requiring the commission to review each agreement’s impact on service adequacy and customer rates.

## **SB492 | Relocation of Utility Facilities**

*Sponsored by Bryant and Lundstrum*

Amends existing law to require relocation of utility facilities in conjunction with highway construction projects.

The legislation clarifies that utility owners are responsible for all costs associated with moving their facilities when the State Highway Commission undertakes improvements.

It establishes procedures for coordination between the commission and utility companies, including advance notice requirements, design review, and submission of detailed cost estimates.

## **SB596 | State Energy Policy Establishment**

*Sponsored by McKee and McAlindon*

Modifies existing energy law to establish a comprehensive state energy policy and regulate the retirement of dispatchable electric generation facilities.

The bill includes legislative findings that underscore the necessity for reliable and affordable energy to support Arkansas's economic growth and to address challenges posed by federal regulations and rising electrification.

The measure also:

- **Directs the Public Service Commission to develop and implement a state energy policy that outlines goals for supply diversification, system resilience, integration of renewable resources, and emissions reduction;**
- **Requires owners of dispatchable electric generation facilities to submit retirement plans to the commission detailing proposed timelines, estimated decommissioning costs, alternatives to retirement, and assessments of impacts on reliability and customer rates; and**
- **Grants the commission authority to review, approve, modify, or reject facility retirement plans based on criteria including resource adequacy, reliability analysis, economic impact, and stakeholder input.**

## **SB610 | Generating Arkansas Jobs Act of 2025 Amendments**

*Sponsored by Dismang and Eaves*

Amends the Generating Arkansas Jobs Act of 2025.

The measure defines “strategic investments” to include the following categories of utility infrastructure and related work:

- **New electric generating facilities (and associated fuel transportation and storage) designed for or capable of operation at a capacity of 100 MW or more for a single facility;**
- **Energy storage facilities designed for or capable of operation at 50 MW or more for a single facility or combinations of energy storage and generation designed for a combined 100 MW or more;**
- **Upgrades, expansions, or fuel conversions of existing electric generating facilities, associated fuel transportation and storage, and energy storage facilities to sustain or increase capacity and improve reliability;**
- **New electric transmission facilities (including substations) with design voltages above 100 kV to serve new or existing customers;**

- Upgrades or expansions of existing electric transmission facilities (including substations) above 100 kV to increase capacity and improve reliability;
- New natural gas transmission lines or high pressure distribution lines ( $\geq 125$  pounds per square inch gauge, or PSIG) and natural gas storage facilities;
- Upgrades or expansions of existing natural gas transmission lines, high pressure distribution lines ( $\geq 125$  PSIG), and natural gas storage facilities; and
- Feasibility studies of strategic investments and advanced energy technologies (including site studies and due diligence) to develop construction estimates.

### **SB627 | Code Enforcement**

*Sponsored by Irvin, et al.*

Assists administration of the code enforcement section of the Department of Labor and Licensing and the state's electrician, HVACR, elevator, and boiler safety laws.

The legislation consolidates oversight for electrician, HVACR, elevator, and boiler safety under the department's code enforcement section.

## **Environmental Legislation**

### **Emissions & Pollution**

#### **HB1683 | Electric Vehicle Procurement**

*Sponsored by McAlindon and Penzo*

Prohibits Arkansas governmental entities from procuring electric vehicles or components thereof manufactured, in whole or in part, using forced labor.

The bill requires manufacturers to provide a sworn certification affirming that no forced labor was used in the production of the vehicle or its components.

Penalties for violations include civil fines for manufacturers, governmental entities, and individual employees found in breach of the certification requirement.

#### **SB416 | Repeals The Electric Vehicle Infrastructure Grant Program and Infrastructure Fund**

*Sponsored by Irvin and Shepherd*

Repeals the Electric Vehicle Infrastructure Grant Program as well as the associated fund.

#### **SB421 | Water, Waste Disposal, and Pollution Abatement Projects**

*Sponsored by Hester and Beaty*

Authorizes the Arkansas Natural Resources Commission to issue general obligation bonds for the development of water, waste disposal, and pollution abatement projects.

### **Hazardous Waste**

#### **HB1762 | Industrial Waste Disposal Permitting Violations**

*Sponsored by Hall, et al.*

Modifies existing law to require revocation of permits and to impose maximum penalties for disposal of industrial waste in agricultural or pastoral land applications after three separate violations within forty-five days.

Surface land application means spraying, spreading, or incorporating waste into or onto land, excluding injection into the land, according to the law.

The Division of Environmental Quality must assess the maximum allowable penalty for each violation that results in an over-application or a precipitation-related surface land application.

The measure directs the Pollution Control and Ecology Commission to promulgate rules to authorize no-discharge land application permits and stipulates that current procedures remain in effect until those rules are adopted.

## **Inland Water Quality & Management**

### **HB1701 | Sewer Collection and Sewer Treatment Providers**

*Sponsored by Gonzales, Stubblefield, and Johnson*

Clarifies the definitions, regulatory standards, and service oversight for municipal and utility sewer providers.

It enhances oversight by detailing provider responsibilities for maintenance, customer billing practices, and inter-jurisdictional service agreements.

### **SB290 | Moratorium Prohibition on Watershed Permitting**

*Sponsored by Johnson, Vaught, and Painter*

Prohibits agencies from imposing a moratorium on issuing permits in watersheds or other bodies of water.

The law requires the Division of Environmental Quality in the Department of Energy and Environment and the Department of Agriculture to initiate a formal rulemaking process for any existing moratorium rules affecting watersheds.

### **SB420 | Water Development State Program Eligibility**

*Sponsored by Hester, Beaty, and Johnson*

Expands the definition of eligible entities under water development state programs, amends the Water Authority Act, and broadens uses of the Construction Assistance Revolving Loan Fund.

The term “qualified corporation” includes governmental entities, municipal authorities, improvement districts, rural development authorities, and nonprofit corporations that provide water services, enabling all such entities to convert to water authorities under state law.

### **SB546 | Trust Fund Contribution Fee for Water Permits**

*Sponsored by Hammer and Perry*

Modifies existing law to amend the trust fund contribution fee for water permits related to nonmunicipal domestic sewage treatment works.

The act restructures the fee calculation by categorizing treatment works according to their permitted daily design flow volumes, and it establishes graduated fee rates per thousand gallons of design flow for each volume category.

The bill also requires payment of the revised contribution fee upon permit issuance and directs the Department of Energy and Environment to credit all proceeds to the Water Permit Trust Fund. It clarifies that trust fund expenditures may be used solely for monitoring, compliance enforcement, and remediation of nonmunicipal domestic sewage systems.



## **Land Management**

### **HB1657 | Arkansas Wood Energy Products and Forest Maintenance Income Tax Credit Modifications**

*Sponsored by Beck, et al.*

Amends the Arkansas Wood Energy Products and Forest Maintenance Income Tax Credit.

The bill increases the required investment threshold for qualifying projects from \$50 million to \$1 billion and raises the minimum job creation requirement from 100 to 400 full-time employees with an average salary of at least \$60,000.

It reduces the tax credit percentage for equipment purchases from 30 percent to 20 percent, delays the annual reporting requirement for sold or transferred credits until 2026, and sets the ongoing compliance date of January 1, 2026.

### **SB368 | Management of Minerals, Timber, and Other Resources**

*Sponsored by Irvin and Shepherd*

Amends laws concerning mineral, timber, and other resources on state lands.

The bill reduces the Natural Resources Committee's membership to five agency heads or their designees.

It also updates the list of state agencies required to receive notifications when leases or permits are filed for extraction or resource use, ensuring that only directly relevant departments are alerted.

### **SB530 | Arkansas Wood Energy Products and Forest Maintenance Income Tax Credit Eligibility**

*Sponsored by Davis, et al.*

Amends existing law to revise eligibility thresholds and benefit calculations for the Arkansas Wood Energy Products and Forest Maintenance Income Tax Credit.

The measure increases the minimum capital investment requirement for qualifying projects, adjusts the tax credit percentage available for approved expenses, and updates the job-creation criteria to better align with current economic objectives.

The legislation also extends the program's sunset date, refines reporting and certification procedures, and clarifies which costs qualify for the credit.

## **Reorganization & Coordination**

### **SB185 | Arkansas Computer and Electronic Solid Waste Management Act Amendments**

*Sponsored by Dotson and Gazaway*

Amends the Arkansas Computer and Electronic Solid Waste Management Act to authorize the Department of Transformation and Shared Services instead of the Department of Finance and Administration to manage the sale of surplus electronics.

### **SB265 | Licensing Committee Membership**

*Sponsored by Irvin and Gramlich*

Reduces and modifies the membership of the Wastewater Licensing Committee and the Solid Waste Licensing Committee.

The Wastewater Licensing Committee seats were reduced from eight to five, and the Solid Waste Licensing Committee seats were reduced from seven to five.

## **Solid Waste**

### **HB1575 | Solid Waste Board Provisions**

*Sponsored by Lundstrum, Bryant, and Unger*

Prohibits a person that is employed or has a direct or indirect interest in an organization that owns, operates, represents, or applies for a solid waste license or permit from serving as a member of the Arkansas Pollution Control and Ecology Commission or various local solid waste planning districts and boards.

### **HB1768 | Solid Waste Landfill Contract Host Fees**

*Sponsored by Lundstrum, Irvin, and Unger*

Requires a solid waste landfill contract relating to a host fee to be voted on at a regularly scheduled meeting of a host community in which the landfill is located.

### **SB369 | Computer and Electronic Equipment Recycling Grants and Fund Repeal**

*Sponsored by Irvin and Wing*

Repeals the Computer and Electronic Equipment Recycling Grants and the Computer and Electronic Recycling Fund.

### **SB460 | Marketing Recyclables Program Repeal**

*Sponsored by Irvin and Gramlich*

Modifies the Compliance Advisory Panel to focus its advisory duties under the Department of Energy and Environment and repeals the Marketing Recyclables Program, including the panel's authority to provide grants, market-development initiatives, and technical assistance for recyclable materials.

# FLORIDA

**In Brief:** Florida's slate centers on resilience, integrated water, and utility readiness. S796 authorizes general permits for distributed wastewater systems, while S1228 advances reclaimed-water projects and H1123 lets municipalities expand sewers, all under the One Water vision set by S1846. Emergency readiness is strengthened by S180's comprehensive reforms, S948's stronger flood disclosures, and H393's condo-hardening rules. Grid and transportation buildout accelerate through H703's relocation grants and S700's standardized EV-charging permits. Energy policy blends H1137's fuel-choice preemption with H1143's buffers around estuarine reserves. Environmental market tools shift as S492 standardizes mitigation-bank credits, H733 widens brownfield eligibility, and S388 adds wildlife-fund flexibility. S7020 expands cybersecurity exemptions, and S56 bans atmospheric geoengineering.

## Energy Legislation

### Cybersecurity & Digital Technology

#### **S7020 | Open Government Sunset Review Act/Agency Cybersecurity Information**

*Sponsored by Governmental and DiCeglie*

Amends provisions providing exemptions from public records and public meetings requirements for agency cybersecurity information.

The legislation broadens the scope of records exemptions to cover data, information, and information technology resources held by state agencies in support of their cybersecurity programs, and it extends confidentiality protections to portions of risk assessments, evaluations, external audits, and other reports related to an agency's cybersecurity activities.

### Efficiency & Weatherization

#### **H393 | My Safe Florida Condominium Pilot Program**

*Sponsored by Budget, et al.*

Limits participation in the My Safe Florida Condominium Pilot Program to specific types of buildings on condominium property.

The measure prohibits a condominium association from applying for a hurricane mitigation inspection or a mitigation grant under the pilot program unless the association has complied with milestone inspection requirements and structural integrity reserve study requirements.

The law requires that mitigation improvements be made to all openings, including exterior doors, garage doors, windows, and skylights, when needed to qualify for a mitigation credit or other differential.

#### **S948 | Flood Disclosures**

*Sponsored by Rules, Judiciary, and Bradley*

Requires enhanced flood risk disclosures in real property transactions.

The legislation mandates that a landlord of residential property must provide a flood disclosure to a prospective tenant at or before execution of the rental agreement.

It allows a tenant who experiences substantial loss or damage due to flooding when the landlord failed to disclose information truthfully to terminate the rental agreement by written notice and surrendering possession within thirty days. The tenant may receive a refund of advance rent for any period after termination.

## **Fossil Energy**

### **H1143 | Permits for Drilling, Exploration, and Extraction of Oil and Gas Resources**

*Sponsored by Shoaf, et al.*

Prohibits drilling, exploration, or production of specified petroleum products within a defined proximity of national estuarine research reserves.

The legislation prohibits these activities within ten miles of a national estuarine research reserve that lies in a county designated as a rural area of opportunity.

It requires the Department of Environmental Protection (DEP) to consider specific environmental factors, such as ecological condition, hydrologic connection, uniqueness, location, fish and wildlife use, time lag, and restoration costs, when evaluating whether a waterbody or shoreline is adequately protected from potential accidents or blowouts.

A balancing test is established for DEP to assess protective measures against potential harm to natural resources.

## **Utilities**

### **H703 | Utility Relocation**

*Sponsored by Commerce, Robinson, and Barnaby*

Requires communications services tax remittances to be distributed by the Department of Revenue by nonoperating transfer to the Department of Commerce in monthly installments to the Grants and Donations Trust Fund for the Utility Relocation Reimbursement Grant Program.

### **H1137 | Prohibiting Fuel Source Restrictions**

*Sponsored by Commerce, Shoaf, and Barnaby*

Prohibits rural electric cooperatives, boards, agencies, commissions, and any authority of any county, municipal corporation, or political subdivision from restricting or prohibiting fuel sources and appliances used to provide energy to consumers.

### **S700 | Land Transfer Provisions**

*Sponsored by Fiscal, Appropriations, Agriculture, and Truenow*

Directs that lands acquired or owned by an electric utility by a specified date must be offered for fee simple acquisition by the Department of Agriculture and Consumer Services before those lands may be sold or transferred to private interests.

The measure also orders local governmental entities to issue permits for electric vehicle charging stations in accordance with prescribed standards and applicable law.

### **S1386 | Assault or Battery on a Utility Worker**

*Sponsored by Appropriations, Criminal, Yarborough, and Leek*

Defines “utility worker” and reclassifies certain assault and battery offenses committed against utility workers engaged in work on critical infrastructure.

A “utility worker” is defined as a person wearing visible markings identifying their employing or contracting utility that owns, operates, leases, or controls facilities for generating, transmitting, distributing, or furnishing electricity, gas, water, wastewater, telephone, or communications service.

Assault against a utility worker while the worker is lawfully performing duties is upgraded from a second-degree misdemeanor to a first-degree misdemeanor.

Battery on a utility worker under the same circumstances is elevated from a first-degree misdemeanor to a third-degree felony.

Aggravated assault on a utility worker is reclassified from a third-degree felony to a second-degree felony with a mandatory minimum sentence of three years, and aggravated battery of a utility worker is raised from a second-degree felony to a first-degree felony with a mandatory minimum sentence of five years.

## **Environmental Legislation**

### **Community & Environmental Health**

#### **S388 | Trust Funds for Wildlife Management**

*Sponsored by Appropriations and Rodriguez*

Revises the management of trust funds for wildlife management.

The measure broadens allowable uses of the Grants and Donations Trust Fund by removing restrictions on fund sources and clarifying that moneys may include grants, donations, mitigation contributions, interest earnings, and advances from other trust funds.

The legislation deletes the requirement that the Fish and Wildlife Conservation Commission designate an identifiable unit to administer the Nongame Wildlife Trust Fund and authorizes the commission to use proceeds from the Nongame Wildlife Trust Fund for wildlife law enforcement activities.

#### **S492 | Mitigation Banks**

*Sponsored by Rules, Appropriations, and McClain*

Establishes a standardized schedule for releasing mitigation bank credits.

The legislation sets a uniform release structure with 30 percent upon recording a conservation easement and establishing financial assurances. It allows 100 percent release at this stage if the bank is preservation only.

The measure further provides for 30 percent of credits upon completion of initial construction activities and directs 20 percent upon meeting interim performance criteria. It also allocates the final twenty percent upon satisfying the success criteria.

Finally, the bill permits freshwater wetland creation credits to be released earlier after initial construction success criteria are met rather than waiting for final success.

### **Emergency Management & Homeland Security**

#### **S180 | Emergency Preparedness**

*Sponsored by Appropriations, Community, and DiCeglie*

Updates state and local emergency preparedness, response, and recovery requirements.

The measure prioritizes hurricane shelter funding for counties with deficits, consolidates shelter reporting, and directs retrofit of non-school public facilities, and it requires annual hurricane readiness sessions, biennial training for local officials, and annual reporting of emergency expenditures.



The act mandates public posting of all emergency contracts and designation of agency and local government emergency contacts and directs the Department of Environmental Protection to maintain biannual flood inventory and restoration reports and coordinate with Florida Division of Emergency Management on permitting streamlining after disasters.

Local governments are required to post preparedness information online, develop post-storm permitting plans, and secure at least one debris-management site.

Further, the act prohibits building-permit fee increases for 180 days after a storm, impact fees for like-for-like replacements, cumulative substantial improvement ordinances, and certain post-storm development restrictions. It also extends certain appraisal, wetland, and permit deadlines; authorizes Florida National Guard medical care during emergencies; and protects tenant access to belongings.

Finally, the law requires securing of hoisting equipment before hurricanes and directs building best-practice development, and it imposes new contract breach penalties during recovery and orders studies on hurricane-related local actions and Keys evacuation permitting.

## **Emissions & Pollution**

### **H733 | Brownfield Eligibility**

*Sponsored by Natural Resources, et al.*

Prohibits the Department of Environmental Protection and local pollution control programs from denying brownfield status or refusing to issue required orders for eligible sites.

### **S56 | Geoengineering and Weather Modification Activities**

*Sponsored by Rules Committee, et al.*

Prohibits geoengineering and weather modification activities in Florida's atmosphere.

The legislation repeals existing statutory provisions related to definitions, licensing requirements, applications, proof of financial responsibility, issuance and discipline of licenses, publication of notices of intention to operate, reporting and record-keeping, emergency licensing, and license suspension or revocation for weather modification law.

It bans the injection, release, or dispersion of chemicals, chemical compounds, substances, or apparatus into the atmosphere of this state for the express purpose of affecting temperature, weather, climate, or sunlight intensity.

It increases the penalty for violations to a third-degree felony, with fines up to \$100,000, while establishing that each violation is a separate offense.

Aircraft operators or controllers who commit this offense face fines up to \$5,000 and up to five years in prison.

The legislation directs that all moneys collected from penalties must be deposited into the Air Pollution Control Trust Fund for use in air pollution control.

It eliminates the Department of Environmental Protection's (DEP) authority to conduct studies, research, experimentation, or evaluation in the field of weather modification.

The measure also requires the DEP to establish a publicly accessible online reporting system, including an email address and web form, for citizens to report suspected violations.

The DEP must investigate reports and refer them as appropriate to the Department of Health or the Division of Emergency Management.



Beginning July 1, 2025, publicly owned airports must report monthly to the Department of Transportation if any aircraft are equipped for geoengineering or weather modification activities. Noncompliant airports may be denied state support for related projects.

## **Inland Water Quality & Management**

### **H1123 | Sewer Collection Systems**

*Sponsored by Cassel, Woodson, Conerly, and Lopez*

Authorizes municipalities to use revenue generated by their central sewage systems for expansion of those systems.

### **S796 | General Permits for Distributed Wastewater Treatment Systems**

*Sponsored by Bradley*

Grants general permits for distributed wastewater treatment systems.

The legislation defines a “distributed wastewater treatment system” or DWTS as an integrated system composed of one or more distributed wastewater treatment units. It also defines a “distributed wastewater treatment unit” or DWTU as an advanced onsite closed-tank wastewater treatment system that is remotely operated by the permittee using an electronic control system, and that is designed to achieve secondary treatment standards and at least 80 percent total nitrogen removal before discharge to a subsurface application system.

The Secretary of Environmental Protection is authorized to issue a general permit for replacing existing onsite sewage treatment and disposal systems with a DWTS, provided the DWTU and DWTS are commonly owned and operated by the permittee.

The legislation allows installation of a DWTU to proceed without further action by the Department of Environmental Protection if the permittee notifies the department at least 30 days before installation.

### **S1228 | Spring Restoration**

*Sponsored by McClain*

Allows certain domestic wastewater treatment facilities with an approved plan to eliminate nonbeneficial surface water discharges to request incorporation of reclaimed water projects identified in Outstanding Florida Springs recovery or prevention strategies.

The law requires the Department of Environmental Protection to approve the request within 60 days if all the following conditions are met:

- The reclaimed water use will benefit a rural area of opportunity;
- The project will provide at least 35 million gallons per day of reclaimed water to benefit an Outstanding Florida Spring;
- The project involves more than one wastewater treatment facility; and
- The implementation and surface water discharge elimination schedule meets minimum flows and water levels requirements for Outstanding Florida Springs.

### **S1846 | One Water Approach to Water Resource Management**

*Sponsored by Truenow*

Expresses support for a One Water approach to water resource management, which means valuing all water through a collaborative and integrated systems approach to managing fresh and brackish surface and groundwater, stormwater, wastewater, and recycled water in a holistic and sustainable manner that

maintains ecosystems while providing reliable and resilient water resources that support the economy, the environment, and the public.

## **Land Management**

### **H209 | State Land Management**

*Sponsored by State, et al.*

Requires public hearings for all updated conservation and nonconservation land management plans for state parcels.

It directs the Department of Environmental Protection's Division of State Lands to make electronic copies of land management plans available to the public within a specified timeframe for parcels above a certain size and for parcels located in state parks.

### **S1080 | Local Government Land Regulation**

*Sponsored by Rules Committee and McClain*

Requires standardized procedures and deadlines for local government land use applications.

The legislation mandates that counties must specify in writing the minimum information required for zoning approvals, rezoning approvals, subdivision approvals, certifications, special exceptions, or variances, and make that information available for inspection, copying, a preapplication meeting, or via their website.

The measure revises application processing timeframes, requiring counties and municipalities to confirm receipt of development permit or order applications within five business days of receipt, to determine completeness or identify deficiencies within 30 days, and to approve, approve with conditions, or deny applications within 120 days if no quasi-judicial hearing is required or within 180 days if one is required.

Further, applicants are entitled to receive partial refunds of application fees if the local government misses certain deadlines.

The legislation prohibits local governments from using the "extraordinary circumstances" justification to increase impact fees unless no increase has been made in the past five years and raises the required vote threshold for such increases to unanimous, with implementation phased over two to four equal annual increments.

### **S2506 | Environmental Management and Land Acquisition Funds**

*Sponsored by Appropriations*

Deletes authorization for the Department of Financial Services to direct Indian Gaming Revenue Clearing Trust Fund distributions toward environmental management purposes.

The measure requires that the Department of Environmental Protection dedicate a portion of land acquisition funds to projects located in designated rural areas of opportunity. It also revises criteria and disclosures related to full fee simple land acquisition projects and updates the list of entities with which state agencies may contract for natural resource purposes.

# GEORGIA

**In Brief:** Georgia's 2025 energy agenda links infrastructure finance, utility transparency, security, and land stewardship. SB13 expands GEFA to finance natural gas facilities and electric line conversions, and SB206 creates the South Georgia Energy Authority with bonding power. HR98 grants state land utility easements, while HB652 exempts electricity at nonprofit EV chargers from the motor fuel tax. SB256 restores EMC acquisition disclosures and SR424 studies local franchise fees. HB161 adds subpoena power for electronic records and reestablishes domestic terrorism crimes against cyber enabled threats. HB143 shifts farm irrigation metering to EPD, HB129 broadens conservation use for leased property, and SR56 proposes doubling eligible conservation acreage. Waste policy changes with HB351 modernizing solid waste permits and SB40 regulating catalytic converter recyclers. Finally, HR824 highlights southern pine beetle risks.

## Energy Legislation

### Cybersecurity & Digital Technology

#### **HB161 | Investigating Cyber-enabled Threats**

*Sponsored by Crowe, et al.*

Authorizes subpoenas for electronic communication records for purposes of investigating certain cyber-enabled threats to life and property.

The measure re-establishes the crime of domestic terrorism, defining offenses, and prescribing punishments.

### Fossil Energy

#### **SB13 | Georgia Environmental Finance Authority Duties**

*Sponsored by Summers, et al.*

Authorizes the Georgia Environmental Finance Authority to finance and perform duties in connection with projects relating to natural gas facilities and the conversion of electrical lines.

The legislation revises relevant definitions to encompass natural gas facility and electrical infrastructure projects, which empowers the authority to adopt rules and regulations necessary to implement its expanded financing and oversight functions.

### Utilities

#### **HB652 | Motor Fuel Tax Exemptions**

*Sponsored by Jones, et al.*

Exempts electricity dispensed for electric vehicle charging at stations owned or operated by nonprofit organizations from the state's motor fuel tax.

#### **HR98 | Granting Nonexclusive Easements**

*Sponsored by Greene, et al.*

Authorizes the granting of non-exclusive easements for the construction, installation, operation, and maintenance of facilities, utilities, roads, and ingresses and egresses in, on, over, under, upon, across, or

through property owned by the State of Georgia in Barrow, Bryan, Chatham, Cherokee, Coweta, Fulton, Haralson, Lamar, McDuffie, Paulding, Walker, and Walton Counties.

#### **SB206 | South Georgia Energy Authority Act**

*Sponsored by Summers, Tillery, and Williams*

**Establishes the South Georgia Energy Authority.**

The measure defines the new authority as a public body corporate and politic, and establishes its **membership, meeting procedures, and governance structure, while authorizing the authority to issue revenue bonds to finance energy infrastructure projects within its service area.**

The law provides for the receipt, management, and pledge of funds, including the creation of trust funds to secure bond obligations, and it allows the authority to set and collect rates, charges, and fees for services, and to pledge revenues to secure its obligations.

Further, the bill exempts the authority's property from state and local taxation, grants the authority tort immunity in the exercise of its functions, and empowers the authority to enter into contracts, leases, and agreements necessary to carry out its duties.

The measure confers supplemental powers to support energy development activities but denies the authority any general taxing power.

#### **SB256 | Electric Membership Corporation Disclosures**

*Sponsored by Cowsert and Martin*

Requires electric membership corporations to disclose certain acquisitions and other information to their members within a specified timeframe.

The measure adds back reporting requirements removed by prior legislation, applying the disclosure mandate specifically to entities with gas affiliates, including Gas South. The required disclosures must be **made on an annual basis.**

#### **SR424 | Senate Study Committee on Franchise Fees**

*Sponsored by Hufstetler, et al.*

Creates the Senate Study Committee on Franchise Fees to examine the assessment, collection, and fiscal impact of franchise fees levied by local governments to electric utilities.

The committee is directed to solicit input from local governments, utility providers, and other stakeholders and to report its findings and any recommended legislation back to the Senate.

## **Environmental Legislation**

### **Community & Environmental Health**

#### **HR824 | Southern Pine Beetle Threat**

*Sponsored by Smith, et al.*

Recognizes the acute and ongoing threat to Georgia's forests posed by the southern pine beetle, particularly in the western region of the state, and encourages all Georgia landowners to follow guidance by the Georgia Forestry Commission to mitigate its spread.

## **Inland Water Quality & Management**

### **HB143 | Water-measuring Devices for Farm Use**

*Sponsored by Dickey, et al.*

Revises provisions regarding water-measuring devices for farm use of surface and ground water by shifting installation and maintenance responsibilities to the Department of Natural Resources' Environmental Protection Division (EPD).

The legislation mandates that the EPD install, calibrate, inspect, and maintain permanent water-measuring devices on surface and groundwater irrigation systems, thereby relieving farmers of installation expenses.

## **Land Management**

### **HB129 | Leased Property Limits**

*Sponsored by Cannon, et al.*

Removes a limitation on leased property for certain entities under the preferential assessment for bona fide conservation use property.

The legislation expands eligibility by permitting leased land held by nonprofit conservation organizations, government entities, and other qualifying bodies to qualify for preferential assessment.

The measure provides that such leased property, when used for conservation or transitional residential purposes, shall be assessed based on current use value instead of fair market value.

### **SB96 | Council and Duties Transfer**

*Sponsored by Echols, et al.*

Abolishes the Environmental Advisory Council and the Jekyll Island Citizens Resource Council and transfers functions of the Stakeholder Advisory Board to the Erosion and Sediment Control Overview Council.

### **SR56 | Bona Fide Conservation Use Property Taxation**

*Sponsored by Watson, et al.*

Proposes an amendment to the Constitution to double the maximum acreage that qualifies for assessment and taxation as a bona fide conservation use property as it relates to agricultural and timber land from 2,000 to 4,000 acres.

## **Solid Waste**

### **HB351 | Solid Waste Facility Permitting**

*Sponsored by Corbett, et al.*

Revises definitions related to solid waste management to update terminology and remove outdated references.

The legislation modifies the permitting process for solid waste facilities by eliminating certain restrictions and requiring submission of written verification of compliance with local zoning and land use regulations. It also modifies public meeting and notice requirements to enhance transparency and stakeholder engagement.

## **SB40 | Regulating Secondary Metals Recyclers**

*Sponsored by Hatchett, et al.*

**Establishes requirements relating to the definition and regulation of used, detached catalytic converters under secondary metals recycler laws.**

The measure removes the exception that previously excluded used, detached catalytic converters from secondary metals recycler regulations, and it mandates that secondary metals recyclers register with the state and pay applicable registration fees to fund enforcement activities.

The bill also requires recyclers to maintain detailed records of each catalytic converter transaction, including seller name and address, transaction date and time, and converter weight or count, and to retain those records for a specified period.



# KENTUCKY

**In Brief:** In the 2025 Kentucky legislative session, lawmakers emphasized infrastructure security, nuclear readiness, and pragmatic buildout. SB64 updates crimes for damaging key infrastructure, while HB196 calibrates mine-emergency staffing for small shifts. Nuclear returns to the planning foreground as HCR22 affirms it as clean, dispatchable baseload and SB179 creates a grant program under the Kentucky Nuclear Energy Development Authority, with transparent reporting to spur early projects. Grid and broadband coordination advances as HB682 extends utility-style relocation reimbursement to cable and broadband providers. Compliance certainty tightens: HB137 requires EPA-approved monitoring methods in air cases and HB346 standardizes fee treatment for emergency stationary engines. SB89 narrows “waters of the Commonwealth,” defines long-term treatment, and sets bonding at twenty-five times annual costs. SR238 targets legacy waste tire cleanups with cabinet recommendations.

## Energy Legislation

### Emergency Management & Homeland Security

#### **SB64 | Protecting Key Infrastructure Assets**

*Sponsored by Storm, et al.*

Revises existing law in order to make it a crime to damage or possess a key infrastructure asset in a way that renders it inoperable, either in whole or in part in addition to the existing restrictions on tampering and rendering the asset harmful or dangerous.

### Fossil Energy

#### **HB196 | Required Emergency Personnel**

*Sponsored by Blanton*

Reduces the number of emergency medical or mine emergency technicians required to be on shift at every active coal mine from two to one if the number of employees on the shift is 10 or fewer.

### Nuclear Energy

#### **HCR22 | Nuclear Power Resolution**

*Sponsored by Bridges, et al.*

Declares that nuclear power generation is a clean and dispatchable means of providing baseload electricity to the residents and businesses within the commonwealth.

#### **SB179 | Nuclear Energy Development Grant Program**

*Sponsored by Carroll, et al.*

Establishes the Nuclear Energy Development Grant Program under the administration of the Kentucky Nuclear Energy Development Authority.

The measure also creates the Nuclear Energy Development Grant Administration Subcommittee and provides for its duties and limits individual grant awards from the Nuclear Energy Development Grant Program to \$2 million per grant.

Further, the act requires the director of the Kentucky Nuclear Energy Development Authority to publicize and encourage application to the Nuclear Energy Development Grant Program, and it provides that evaluations and scores of grant applications and grant awards made from the program must be included in the annual report that the Kentucky Nuclear Energy Development Authority submits to the Legislative Research Commission.

## **Utilities**

### **HB682 | Utility Relocation Reimbursement**

*Sponsored by Upchurch*

Provides cable operator and broadband providers the same rights as public utilities to reimbursement for the costs associated with relocation of their facilities in connection with a turnpike project or projects with public highways.

## **Environmental Legislation**

### **Emissions & Pollution**

#### **HB137 | Air Quality Monitoring Standards**

*Sponsored by Gooch, Johnson, and Williams*

Requires that for the purpose of determining compliance with requirements set by an air pollution control board, the Energy and Environment Cabinet, or the federal Clean Air Act, only the most current data collection methods approved or established by the United States Environmental Protection Agency may be used.

Data collected using methods that do not meet these standards cannot be admitted or considered in any enforcement proceeding brought by the air pollution control board, an air pollution control officer, the cabinet, or a private citizen, according to the measure.

#### **HB346 | Stationary ICE Standards**

*Sponsored by Lewis*

Defines “emergency stationary internal combustion engine” and establishes a standard for assessment of emissions fees by the Energy and Environment Cabinet and air pollution control districts.

The stationary engine is defined by the bill as any engine that has no time limits on use in emergency situations, is operated for a maximum of 100 hours per calendar year for all non-emergency purposes (including maintenance checks and readiness testing), and is operated for a maximum of 50 hours per calendar year for non-emergency activities that do not constitute maintenance checks or readiness testing.

### **Inland Water Quality & Management**

#### **SB89 | Defining Long-term Treatment of Water**

*Sponsored by Madon, et al.*

Revises existing law to rdefine “water,” “waters of the Commonwealth,” and “long-term treatment,” and establishes the calculation method for additional bond amounts when long-term treatment is required.

The revised definition limits “water” or “waters of the Commonwealth” to navigable waters lying wholly or partly within the state's jurisdiction.

“Long-term treatment” is defined as the use of active or passive water treatment measures necessary to meet effluent standards after backfilling, regrading, topsoil replacement, and drainage control are complete.

For permits requiring long-term treatment, the cabinet must calculate an additional bond equal to twenty-five times the verified annual treatment cost plus any capital cost of the treatment system, according to the measure.

## **Solid Waste**

### **SR238 | Waste Tire Removal**

*Sponsored by Frommeyer and Rawlings*

Urges the Energy and Environment Cabinet to explore and implement strategies to remove waste tires from Kentucky's streams and waterways and to submit a report on or before December 1, 2025, to the Legislative Research Commission providing legislative recommendations for doing so.

# LOUISIANA

**In Brief:** In 2025, Louisiana lawmakers knit together CCS guardrails, centralized governance, and grid resilience. HB304 anchors venue for sequestration expropriation suits in local courts, HB548 shares injection revenues with parishes, and HB691 boosts Class VI penalties and incident transparency, while SB36 and SB73 elevate parish input and landowner consent. SB244 consolidates energy and water authorities into a Department of Conservation and Energy, and HB274 relocates homeland security under the Military Department. HB692 sets reliability-first energy policy as HR257 probes outages and HR265 studies EMP hardening; HCR11 seeks job protections at Cleco. Nuclear optionality rises via HR212, HR249, and SB127. HB459 installs a unified renewable permitting/siting regime. Oil and gas tax changes in HB600 and HB495 recalibrate incentives, while SB212 expands performance-based efficiency contracting and HR36/SR28 advance coastal protection planning.

## Energy Legislation

### Carbon Capture & Storage

#### **HB304 | Venue for Carbon Capture Claims**

*Sponsored by Carter and Owen*

Provides relative to venue for claims involving expropriation for carbon capture.

The venue for any suit contesting expropriation of immovable property for carbon capture projects must lie exclusively in the district court of the parish in which the property is located.

#### **HB548 | Carbon Dioxide Sequestration Revenues**

*Sponsored by LaCombe*

Dedicates revenue from carbon dioxide sequestration on state property and establishes distributions to parishes and state funds.

The legislation limits the sovereign lands provisions to public lands and certain dried lake beds that remain owned by the state, and it clarifies that these provisions do not apply to property owned by state agencies or local governments.

For property owned by a state agency, the law applies upon commencement of Class VI injection operations for geologic storage and requires the state treasurer to handle injection based revenue after constitutional deposits.

The measure defines injection based revenue to include injection fees, minimum guaranteed payments, and other amounts derived from injection operations, while excluding bonuses, rentals, pipeline rights of way, and payments for surface use or surface facilities.

The bill also directs 30 percent of such revenue to the governing authority of the parish or parishes within the area of review and requires proportional allocation when more than one parish is included.

The remainder must be deposited into the Louisiana Wildlife and Fisheries Conservation Fund when the Department of Wildlife and Fisheries or its commission is involved and into the state General Fund for other state agencies.



## **HB691 | Public Safety and Accountability for Carbon Dioxide Sequestration**

*Sponsored by Carrier*

Enhances public safety and accountability for carbon dioxide sequestration operations.

The legislation increases the maximum civil penalty for violations under underground injection control law from \$5,000 to \$200,000 per day and per violation.

The measure mandates more comprehensive incident reporting by operators of Class VI wells or related sequestration facilities; reports must now include the exact location and description of the incident, potential risks to public health, water resources, and land stability, immediate mitigation actions taken, and a timeline for corrective action.

Finally, the law requires these incident reports to be submitted to emergency response teams, local law enforcement, local governing authorities, and made available to the public via an official press release.

## **SB36 | Carbon Sequestration Considerations**

*Sponsored by Hensgens*

Requires the Commissioner of Conservation to give substantial consideration to comments from local governments when determining the appropriate course of action in any matter that requires a public comment period or hearing concerning the geologic storage of carbon dioxide.

## **SB73 | Carbon Dioxide Project Requirements**

*Sponsored by Reese, et al.*

Amends existing law to require the Department of Energy and Natural Resources to give substantial consideration to oral or written comments from parish or local governments before approving geologic carbon dioxide storage projects.

The act requires at least 85 percent of surface acreage interests within a proposed sequestration unit to consent in writing before unit approval may proceed.

It also adds a stringent landowner engagement protocol to eminent domain authority by mandating written notice, a reasonable opportunity to be present during appraisal, a minimum of five in-person negotiation attempts, a written offer with reconveyance rights, and a fixed ten-day response window.

Finally, the measure mandates enhanced notice obligations for Class V test wells and Class VI injection well applications, requiring certified mail notification to mineral interest owners, surface owners, and pipeline rights holders, and publication of application notices on the department's website.

## **Cybersecurity & Digital Technology**

### **HR317 | Artificial Intelligence, Blockchain, and Cryptocurrency Study**

*Sponsored by Wright*

Creates a subcommittee of the House of Representatives to study artificial intelligence, blockchain, and cryptocurrency.

## **Efficiency & Weatherization**

### **HB318 | Manufactured and Modular Housing in Flood-prone Areas**

*Sponsored by Gadberry*

Defines minimum installation standards for manufactured and modular housing in flood-prone areas.

The legislation retains existing law that requires manufactured and modular homes in flood-hazard zones to comply with the FEMA “Manufactured Home Installation In Flood Hazard Areas” manual.

The measure clarifies that state or local jurisdictions may adopt elevation or freeboard requirements that exceed FEMA minimum standards, and it provides that installations must comply with the higher standards regardless of whether those standards exceed FEMA guidelines.

#### **HR341 | Louisiana Fortify Homes Program Incentives Study**

*Sponsored by Beaulieu, Chassion, and Knox*

Requests the Louisiana Department of Insurance to conduct a comprehensive study on incentives and standard benchmarks for integration into the Louisiana Fortify Homes Program.

#### **HR382/SR200 | Fortified Roof Building Standards Study**

*Sponsored by Freeman and Chassion; Talbot*

Requests the Louisiana State Licensing Board of Contractors and the Louisiana State Uniform Construction Code Council to study and report to the Legislature information and recommendations regarding adoption of the fortified roof building standards into the building codes for the coastal zone.

#### **SB212 | Energy Efficiency Contracts**

*Sponsored by McMath*

Retains authorization for political subdivisions to enter into performance based energy efficiency contracts for services and equipment while changing procurement methods from requests for proposals to requests for qualifications.

The legislation redefines annual energy savings when calculating energy cost savings to include reductions in utility costs from electricity, gas, water, propane, oil, diesel, steam, or other fuels, and may include capital cost avoidance, deferred maintenance, labor savings, and increased revenues from utility infrastructure upgrades or optimization.

The law requires a political subdivision to engage an energy efficiency independent third party evaluation consultant before awarding any contract, and it authorizes political subdivisions to require an investment grade audit prior to executing a contract and to provide for payments for such audits.

### **Emergency Management & Homeland Security**

#### **HR257 | Power Outage Investigation**

*Sponsored by Bayham*

Requests the Select Committee on Homeland Security to investigate the recent power outage initiated by the Midcontinent Independent System Operator in southeastern Louisiana.

#### **HR265 | Electromagnetic Threats Study**

*Sponsored by Coates, et al.*

Directs the Louisiana Public Service Commission to explore technology, policy, and cost recovery mechanisms to harden the Louisiana electrical grid against electromagnetic threats.

#### **SB22 | Theft of Critical Infrastructure**

*Sponsored by Hodges, et al.*

Creates the crime of theft of critical infrastructure.

Defines theft of critical infrastructure as the misappropriation, taking, or illegal possession of critical infrastructure with the intent to permanently deprive the owner.



Penalties of a fine not to exceed \$10,000, or imprisonment for up to fifteen years, or both, apply when the value of the stolen property is less than \$25,000.

The measure authorizes a fine not to exceed \$50,000, or hard labor imprisonment for up to twenty years, or both, when the value equals or exceeds \$25,000, or when it is foreseeable that human life will be threatened as a result of the theft.

### **SR204 | Protecting Louisiana's Critical Infrastructure from Foreign Adversaries**

*Sponsored by Hodges*

Creates the task force on Protecting Louisiana's Critical Infrastructure from Foreign Adversaries.

The resolution directs legislative leaders to appoint members representing state agencies, local governments, and private stakeholders to examine threats posed by foreign adversaries with regard to critical infrastructure.

## **Fossil Energy**

### **HB495 | Severance Tax for Horizontally Drilled Wells**

*Sponsored by Geymann*

Limits the duration of the horizontal well severance tax exemption for gas.

The measure changes existing law by retaining the two-year exemption for oil produced from horizontally drilled wells or recompletion wells while shortening the exemption period for gas.

The law reduces the exemption duration for gas produced from wells completed on or after July 1, 2025, to 18 months or until payout of well costs, whichever occurs first.

The legislation defines horizontal drilling to mean high-angle directional bore holes with lateral penetration ranging from several hundred to several thousand feet.

The measure further specifies that horizontal recompletion involves drilling through an existing well bore.

Finally, the law clarifies that cost-payout is determined by the Department of Energy and Natural Resources based on completion costs up to commencement of production.

### **HB504 | Registration Fees for Trucks Transporting Liquefied Petroleum Gas**

*Sponsored by Coates*

Increases the annual registration fee for tanker trucks transporting liquefied petroleum gas from fifty dollars to one hundred fifty dollars.

### **HB600 | Severance Tax on Oil**

*Sponsored by Geymann*

Reduces severance tax rates on oil produced from newly completed wells.

The legislation cuts the existing severance tax rate on oil produced from wells completed on or after July 1, 2025, from twelve and one-half percent to six and one-half percent of its value at severance.

The measure also revises special reduced tax rates for oil from certain low-production or aging wells, and the rate for incapable wells is lowered to a flat six and one-quarter percent.

The bill also establishes a revised three-and-one-eighth-percent rate for stripper wells.

The measure applies similar lowered tax tiers to oil from inactive and orphaned wells based on standard well-type definitions and production thresholds. Finally, it specifies that those reductions apply only when wells meet certification criteria managed by the relevant state agencies.

## **Nuclear Energy**

### **HR212 | Nuclear Energy Benefits Study**

*Sponsored by Echols*

Urges and requests the Department of Energy and Natural Resources and the Public Service Commission to research the benefits of using nuclear energy generation within the state.

### **HR249 | Small Nuclear Reactors Task Force**

*Sponsored by Echols and Knox*

Creates a task force to study and recommend policies to promote small nuclear reactors in Louisiana.

### **SB127 | Advanced Nuclear Power Generation**

*Sponsored by Bass*

Authorizes the Secretary of the Department of Environmental Quality to institute a federal permitting parity program for advanced nuclear power generation applications by electric public utilities.

Under the program, applicants must designate that their applications are for the development and construction of small modular reactors and demonstrate consistency with a collaboration letter entered into with federal agencies.

## **Renewable Energy**

### **HB459 | Renewable Energy Regulation and Permitting**

*Sponsored by Coates*

Enacts a regulatory framework for renewable energy storage, wind projects, and large solar facilities.

The legislation introduces a permitting requirement for renewable energy battery installations under the control of the Department of Energy and Natural Resources.

The measure requires operators to submit proof of financial security and a decommissioning plan before obtaining a permit.

Existing law is modified to include a new permit requirement for onshore wind energy projects. The law defines “onshore” as land-based turbines and those located on inland water bodies.

The measure prohibits construction or operation of solar power generation facilities of seventy-five acres or more without a permit.

Existing law is changed to grant permitting authority over those solar facilities to the same department, and the legislation requires siting standards for qualifying solar facilities including setbacks from residential property, roads, and waterways combined with vegetative screening.

The measure specifies a three-hundred-foot setback from residential property unless waived by written agreement and a vegetative barrier of thirty-five feet of new planting or fifty feet of natural growth.

The law also mandates that solar projects not wholly within industrial-zoned or state-certified sites must comply with setback and buffer requirements unless the local opt-out is enacted, and it prohibits noise output exceeding ten decibels above pre-construction ambient levels at property lines adjacent

to solar facilities. It also bans use of maintenance chemicals in solar facilities that are not approved for agricultural use.

The measure excludes residential property uses from applicability of the new permitting or siting requirements, and it exempts a single wind turbine leased before June 30, 2024, with required instrumentation from these new provisions.

The legislation differs from prior law by combining battery, wind, and solar project permitting into a unified regulatory structure and by establishing specific siting standards for utility-scale solar developments.

## **Reorganization & Coordination**

### **HB274 | Governor's Office of Homeland Security and Emergency Preparedness Reorganization**

*Sponsored by Owen*

Provides for reorganization of the Governor's Office of Homeland Security and Emergency Preparedness.

The legislation transfers the existing Homeland Security and Emergency Preparedness Agency from the governor's office into the Military Department.

The Governor's Office of Homeland Security and Emergency Preparedness is designated as the state agency responsible for homeland security and emergency preparedness under the adjutant general.

### **SB244 | Department of Conservation and Energy Establishment**

*Sponsored by Hensgens*

Reorganizes state energy governance and consolidates authority under a newly defined department.

The legislation renames the Department of Energy and Natural Resources as the Department of Conservation and Energy. It merges and transfers functions, staff, and resources from existing energy, conservation, water, mineral, and natural resources agencies into a restructured department under a single secretary.

The measure grants expanded powers to the secretary, including the ability to reorganize functions, issue administrative directives, oversee bond issuances, and streamline energy and resource-related governance. It also establishes a Carbon Dioxide Geologic Storage Trust Fund, overseen by the secretary, to manage revenues and fund activities related to carbon dioxide geologic sequestration.

The law asserts exclusive state jurisdiction over water resource management, authorizes comprehensive planning and inspection authority, and enables the use of tax incentives to promote conservation and alternative water use.

The department is granted the power to oversee oilfield site restoration, manage abandoned mine reclamation efforts, and regulate underground storage of energy resources like oil, gas, hydrogen, compressed air, and carbon dioxide. It further consolidates the Natural Resources Trust Authority and the State Mineral and Energy Board under the secretary's purview, including bonding and rulemaking authority.

The legislation preempts local governance over water resources by vesting primary regulatory control in the state.

## **Utilities**

### **HB6 | Misappropriation of Funds for Utility Services**

*Sponsored by Jackson*

Creates the crime of misappropriation of funds in connection with the payment of utility services.

Under the measure, misappropriation occurs when a person knowingly diverts, withholds, or fails to apply funds collected for gas, electric, water, or other utility service obligations.

Penalties for the new offense mirror those for felony theft, including fines and imprisonment.

### **HB254 | Annual Consumption Reporting**

*Sponsored by Crews*

Creates an official list of energy utility providers offering annual consumption reporting mechanisms.

The legislation directs the Public Service Commission to compile and publish a list of energy utilities that provide customers with annual energy consumption reporting tools.

### **HB257 | Water or Wastewater Company Receivership**

*Sponsored by Blanc*

Creates a legal process for placing water or wastewater companies into receivership when they fail to provide safe, adequate, or reliable service.

The measure targets utilities that operate water systems, sewer systems, or both, particularly small or failing providers that have demonstrated chronic noncompliance, neglect, or financial mismanagement.

### **HB499 | Worker Safety**

*Sponsored by Bamburg*

Establishes penalties for speeding or breaching designated construction zones and utility work safety zones where workers are present.

Zones under active construction or utility work with workers on site are covered by the new provisions.

### **HB692 | State Policy Regarding Energy and Grid Resilience**

*Sponsored by Landry*

Defines statewide energy policy priorities to ensure affordable, reliable, and resilient electricity.

The act directs the Department of Energy and Natural Resources to coordinate with the Public Service Commission and the Department of Economic Development to prioritize energy sources that are domestically produced and infrastructure that minimizes reliance on foreign energy.

The measure seeks to ensure a sufficient supply of renewable energy production sources, as defined in federal law, to meet the needs of Louisiana's businesses and industries while excluding advanced nuclear resources from certain domestic fuel requirements.

The law further requires that energy sources used in power generation be affordable, reliable, cost effective, dispatchable, and utilize energy generated by hydrocarbons, with reliability including the ability to ramp output and maintain grid stability.

Finally, the bill defines green energy to encompass energy sources listed in federal law or hydrocarbons that meet national ambient air quality standards, expressly including nuclear power and natural gas, and it applies this definition uniformly across all state programs funding clean or green energy initiatives.

#### **HCR11 | Cleco Power Sale Conditions**

*Sponsored by Johnson and Deshotel*

Urges and requests the Public Service Commission to protect the jobs of central Louisiana employees and to only approve any sale, merger, trade, or transaction transferring ownership of Cleco Power to any other entity if and only if there are adequate guarantees and safeguards that preserve the more than four hundred fifty nonservice jobs and one hundred percent of all service jobs currently located at headquarters in Pineville, Louisiana, for ten years.

#### **SCR69 | Public Projects Task Force**

*Sponsored by Womack*

Establishes a task force to make recommendations on the Louisiana Public Works Act.

The committee will evaluate the efficiency and timeliness of public works project delivery and payment processes.

#### **SR195 | Self-generation Energy Study**

*Sponsored by Henry*

Creates a task force to study and make recommendations relative to policies that promote energy self-generation, industrial microgrids, and expedited permitting.

### **Environmental Legislation**

#### **Coastal Zone Management**

##### **HCR27 | Gulf of America Hypoxia Action Plan and Task Force**

*Sponsored by Zeringue*

Urges and requests enhancement of the state's participation in the Gulf of America Hypoxia Action Plan and Task Force.

##### **HR36/SR28 | State Integrated Coastal Protection Plan**

*Sponsored by Geymann; Hensgens*

Approves the annual state integrated coastal protection plan for fiscal year 2026, as adopted by the Coastal Protection and Restoration Authority Board.

#### **Community & Environmental Health**

##### **HB164 | Mallard Hunting Licenses for Hunting Preserves**

*Sponsored by Billings, et al.*

Provides for licenses to be issued to pen raised quail and pen raised mallard hunting preserves outside of the coastal zone.

##### **HB564 | Conservation Incentive Program**

*Sponsored by Landry*

Establishes a conservation incentive program to assist private landowners with enhancing wildlife habitats and wetlands on their property, and establishes criteria for receiving assistance.

Under the measure, the Department of Wildlife and Fisheries may seek additional funding through federal grant programs and other public and private sources to support the program.

#### **HCR75 | Chronic Wasting Disease Task Force**

*Sponsored by Riser, et al.*

Creates the Chronic Wasting Disease (CWD) Task Force to study and recommend best practices for managing CWD and mitigating its spread within the state.

#### **HR355 | Feral Hog Toxicant Testing and Registration**

*Sponsored by Romero, et al.*

Urges and requests the United States Environmental Protection Agency to take action on feral hog toxicant testing and registration.

### **Emergency Management & Homeland Security**

#### **HCR58 | Hurricane Preparedness Updates**

*Sponsored by Stagni, et al.*

Urges and requests the administration of the New Orleans Aviation Board to appear before the Jefferson Parish and Kenner City Council annually to provide updates on hurricane preparedness and other matters of mutual concern regarding infrastructure prior to the start of hurricane season.

#### **HR291 | Flood Insurance Financial Burden**

*Sponsored by Kerner, et al.*

Memorializes the United States Congress to end Risk Rating 2.0 and to take certain other necessary actions to alleviate the financial burden of flood insurance.

#### **HR345 | Federal Disaster Insurance**

*Sponsored by Willard, et al.*

Memorializes Congress to establish federal disaster insurance.

### **Emissions & Pollution**

#### **SB46 | Chemically-induced Temperature Changes**

*Sponsored by Fesi, et al.*

Prohibits the intentional release, or dispersion of chemicals into the environment of the state with the express purpose of affecting temperature.

#### **SCR67 | Geoengineering in Louisiana**

*Sponsored by Hodges*

Memorializes Congress to investigate all activities involving the intentional dispersion of chemicals into the atmosphere by any means, for geoengineering purposes including but not limited to solar radiation modification, carbon dioxide removal, and weather modification experiments, particularly those which may have occurred without public knowledge or consent and within the airspace over the state of Louisiana.



## **Inland Water Quality & Management**

### **HB165 | Amite River Basin Drainage and Water Conservation Watershed Management**

*Sponsored by Edmonston*

Removes the designated deadline the board of the Amite River Basin Drainage and Water Conservation District has to promulgate regulations for watershed management within the district.

### **HB688 | Southeast Louisiana Flood Protection Board Modifications**

*Sponsored by Braud*

Modifies board composition, leadership, vacancy procedures, and term limits for Southeast Louisiana Flood Protection Authorities.

The legislation reduces the number of commissioners on the Authority-East board with engineering or science backgrounds from five to four and increases those from non-science disciplines from two to three.

### **HCR54 | Minimum Chlorine Concentration Levels Review**

*Sponsored by Deshotel, Egan, Fisher, and Jackson*

Urges and requests the Louisiana Department of Health to review and revise its regulations regarding **minimum chlorine concentration levels in public water systems**.

### **HR305 | Creates the Task Force on Southeast Louisiana Regional Water Purification Operations**

*Sponsored by Landry, et al.*

Creates the Task Force on Southeast Louisiana Regional Water Purification Operations.

The task force must study the feasibility of building a water purification facility to service the parishes of Jefferson, Orleans, Plaquemines, St. Bernard, and St. Charles and provide a written report of findings and recommendations regarding the best strategies and procedures for the operation and management of such facility to the governing authorities of the parishes of Jefferson, Orleans, Plaquemines, St. Bernard, and St. Charles, the members of the legislative delegation for each parish, and the City Services Coalition no later than March 15, 2026.

### **HR381 | Clean Water Task Force Study**

*Sponsored by Walters and Chassion*

Creates the Clean Water Task Force to study the public water system in Shreveport.

### **SB97 | Coordinated Use of Resources for Recreation, Economy, Navigation, and Transportation Authority**

*Sponsored by Pressly, et al.*

Creates the Coordinated Use of Resources for Recreation, Economy, Navigation, and Transportation Authority to serve as the primary entity responsible for integrated flood control, risk reduction, navigation, water resource management, and related infrastructure projects in upland areas, excluding areas under the Coastal Protection and Restoration Authority.

The law assigns jurisdiction to the authority for comprehensive integrated planning, prioritization, and implementation of flood protection, infrastructure development, economic advancement, navigation enhancement, and recreational improvement projects coordinated for efficiency.

### **SCR64 | Comite River Diversion Canal/Amite River Basin Task Force**

*Sponsored by Hodges*

Continues the Comite River Diversion Canal/Amite River Basin Task Force.

The resolution directs the task force to study and recommend improvements for flood control, water management, and environmental protection within the basin.

#### **SR111 | Municipal Water System Consolidation**

*Sponsored by Cathey*

Urges the village of Downsville to consolidate its municipal water system.

#### **Reorganization & Coordination**

#### **HR274 | Cocodrie Lake Health**

*Sponsored by Butler*

Urges and requests the Department of Wildlife and Fisheries to restore the authority for the general health of Cocodrie Lake to the Cocodrie Lake Game and Fish Commission.

#### **Solid Waste**

#### **HB173 | Litter Law Enforcement**

*Sponsored by Illg and Thompson*

Expands the jurisdiction of state park wardens to enforce litter laws statewide.

Under the measure, wardens may issue citations for violations of state and local littering statutes across all state park areas.

# MARYLAND

**In Brief:** In its 2025 session, Maryland advanced a water-first, grid-modernization agenda. HB25/SB265 creates reservoir augmentation and indirect potable reuse, HB1296/SB930 pilots managed aquifer recharge, and HB131/SB117 retargets Bay Restoration Fund dollars to failing systems and floodplains. HB1035/SB937, the Next Generation Energy Act, pairs emissions targets with PSC cost-recovery reforms, grid resilience and resource planning, RPS updates, expanded assistance, and pursuit of new nuclear. Distributed-solar siting is clarified by HB1036/SB931, while HB4/SB120 curbs HOA barriers; HB1111 prioritizes brownfields and ponds. Producer responsibility for packaging debuts in SB901. Cyber security deepens with HB376/SB294 and SB871 for water systems. Transparency rises via regional-market vote reports (HB121/SB37) and Maryland Environmental Services board changes (HB344/SB315).

## Energy Legislation

### Cybersecurity & Digital Technology

#### **HB376/SB294 | Maryland Cybersecurity Council Composition**

*Sponsored by Health; Feldman, et al.*

Alters the composition of the Maryland Cybersecurity Council and prescribes leadership election cycles.

Beginning October 1, 2025, and every two years thereafter, the council must elect a chair and vice chair from among its members.

The measure directs the council, working with specified state agencies, academic institutions, and private sector partners, to assess and address cybersecurity threats and associated risks arising from artificial intelligence, quantum computing, and other emerging technologies.

#### **SB871 | Cybersecurity Planning and Assessments**

*Sponsored by Hester*

Requires the Department of the Environment to coordinate, in collaboration with the Department of Information Technology and the Maryland Department of Emergency Management, cybersecurity planning efforts for community water systems and community sewerage systems.

### Efficiency & Weatherization

#### **HB49 | Building Energy Performance Standards**

*Sponsored by Environment*

Alters requirements for building energy performance standards regulations adopted by the Department of the Environment to include specific exclusions, additional considerations, and an annual reporting fee to cover associated costs.

The act requires the department to certify any county-adopted building energy performance standards program that meets the established criteria.

A comprehensive cost-benefit analysis of potential policy options for building energy performance standards must be conducted by the department.

## **HB452 | Outdoor Lighting Guidance**

*Sponsored by Guyton, et al.*

Requires the Maryland Green Building Council to update or develop guidance, on or before October 1, 2026, for the purchase of permanent outdoor lighting fixtures, incorporating recommendations on energy efficiency, appropriate shielding, and fixture performance.

The measure prohibits the use of state funds to install or replace permanent outdoor luminaires unless those fixtures comply with the council's updated guidance on performance and shielding.

## **Fossil Energy**

### **HB222/SB175 | Fuel Gas Piping Systems and Corrugated Stainless Steel Tubing Prohibitions and Study**

*Sponsored by Stein, et al.; Lewis and Brooks*

Prohibits the sale, offer for sale, transfer, or distribution of non-arc-resistant jacketed corrugated stainless steel tubing and establishes a civil penalty of up to \$1,000 for a violation of the law.

The act also requires the Maryland Department of Labor and the Office of the State Fire Marshal to conduct a study and make recommendations related to preventing the fire hazards associated with commonly used fuel gas piping systems, including gas piping and corrugated stainless steel tubing, in residential and commercial buildings.

### **SB425 | Coal Combustion By-Products Fees, Coordinating Committee, and Regulations**

*Sponsored by Jackson*

Alters factors considered by the Department of the Environment in establishing fees for coal combustion by-products.

The measure requires excess fees collected from generators of coal combustion by-products to be allocated for remediation, monitoring, and reporting activities.

The Statewide Coal Combustion By-Products Coordinating Committee is established by the law to facilitate information sharing on site monitoring results and remedial actions.

The bill directs the department to adopt regulations detailing fee structures, committee membership, and procedures for oversight.

## **Renewable Energy**

### **HB4/SB120 | Solar Collector Systems**

*Sponsored by Smith; Muse*

Prohibits restrictions on land use that increase the cost of installing a solar collector system by at least 5 percent or that reduce the efficiency of the system by at least 10 percent under specified energy generation benchmarks.

The measure authorizes community associations to impose reasonable guidelines on the installation of solar collector systems within common areas or common elements, and it allows community associations to install solar collector systems in common areas or common elements upon request of unit owners and subject to the same guidelines.

The bill exempts community associations from liability for damages arising from the installation of solar collector systems by consenting property owners.

## **HB1036/SB931 | Renewable Energy Certainty Act**

*Sponsored by Wilson and Crosby; Feldman*

Establishes a distributed generation certificate of public convenience and necessity to authorize the construction and operation of certain distributed solar energy generating systems.

The legislation alters the factors the Public Service Commission must consider before taking final action on certificates of public convenience and necessity for generation stations.

The measure requires the Power Plant Research Program to develop and submit proposed siting, design requirements, and licensing conditions by July 1, 2026, and the commission is directed to incorporate those requirements into its regulations governing distributed generation certificates.

## **HB1111 | Solar Energy Generating Systems On or Over Water Retention Ponds, Quarries, or Brownfields**

*Sponsored by Fraser-Hidalgo*

Defines eligibility for solar energy generating systems located on or over water retention ponds, quarries, or brownfields under the Small Solar Energy Generating System Incentive Program.

The legislation authorizes the Mayor and City Council of Baltimore City, or the governing body of a county or municipal corporation, to grant by law a property tax credit against county or municipal property tax for specified nonresidential solar energy generating systems.

## **Reorganization & Coordination**

### **HB1035/SB937 | Next Generation Energy Act**

*Sponsored by Wilson; Feldman, et al.*

Authorizes the Department of Housing and Community Development to issue loans, in addition to grants, for purposes related to reducing direct greenhouse gas emissions from certain multifamily residential buildings.

In coordinating with the Public Service Commission and the Department of Natural Resources, the Maryland Energy Administration must pursue agreements with neighboring states and federal agencies to support development of new nuclear energy generation stations.

Further provisions address rate regulation and cost recovery by directing the Public Service Commission to update procedures that enable recovery of utility investments in infrastructure improvements.

Adjustments to integrated resource planning require utilities to incorporate grid modernization, resilience measures, and criteria for distributed energy resources into their long-term plans.

Modifications to the renewable energy portfolio standard establish new compliance targets, such as 150 MW of battery storage and 3,109 MW of dispatchable energy generation, and timelines for increasing the share of renewable sources in the state's energy mix.

Energy assistance programs are expanded by the bill through broader eligibility criteria and enhanced funding to support low-income households.

## **Utilities**

### **HB121/SB37 | Utility Transparency and Accountability Act**

*Sponsored by Charkoudian; Hester, et al.*

Requires an electric company, other than a municipal electric utility, by February 1 each year, to submit a report to the Public Service Commission regarding each recorded vote cast by the electric company and any of its state affiliates at a meeting of a regional transmission organization.



## **HB227/SB561 | Nonescheat Capital Credits**

*Sponsored by Adams and Crosby; Hershey and Mautz*

Provides that certain unclaimed money held by an electric cooperative and due to a past member is not considered abandoned property.

The bill authorizes an electric cooperative to use the money only to assist its members or to make donations to nonprofit, charitable organizations.

## **HB984 | Electric Cooperatives Rate Proceedings**

*Sponsored by Crosby*

Applies provisions of law governing rate proceedings held by the Public Service Commission to electric cooperatives.

The bill extends to electric cooperatives the authority to determine whether additional revenues are required to allow those cooperatives to earn the existing fair rate of return authorized in a previous base rate proceeding.

The measure requires the commission to order an electric cooperative to conduct a public hearing in connection with a base rate proceeding.

## **SB399 | Overhead Transmission Lines**

*Sponsored by McKay*

Exempts certain areas in the Big Savage Mountain Wildland, Bear Pen Wildland, and Dan's Mountain Wildland from being designated as a wildland area, subject to a certificate of public convenience and necessity being obtained for a certain transmission line.

The Public Service Commission is required by the act to dictate an applicant for a certificate of public convenience and necessity for the construction of a certain overhead transmission line must provide wildland impact mitigation guarantees.

# **Environmental Legislation**

## **Coastal Zone Management**

### **HB131/SB117 | Septic System Upgrade Program**

*Sponsored by Stein; Hester*

Prioritizes funding first to failing sewage systems and holding tanks in the Chesapeake and Atlantic Coastal Bays Critical Area.

The measure directs funding second to systems located within the Maryland Chesapeake Bay 8-digit watershed that demonstrate a relative effectiveness for total nitrogen reduction of 9.24 or higher based on the Chesapeake Bay watershed model.

### **HB1470 | Chesapeake and Atlantic Coastal Bays Critical Area Protection Program Modifications**

*Sponsored by Montgomery County Delegation and Prince George's County Delegation*

Authorizes the Prince George's County Department of Permitting, Inspections, and Enforcement to record a lien on property subject to a violation involving the clearing or cutting of trees in the Chesapeake and Atlantic Coastal Bays Critical Area.

The law grants property owners the opportunity to satisfy the lien by paying restoration costs and associated penalties to the appropriate agency.



The bill allocates funding third to failing sewage systems situated within the 500-year floodplain, and it expands eligibility criteria for on-site and community sewage systems, broadening the scope of projects that may receive Bay Restoration Fund assistance.

## **Community & Environmental Health**

### **HB40/SB258 | Fishing Licenses and Stamps Updates**

*Sponsored by Environment; Education*

Alters the fees for resident consolidated senior sport fishing licenses, angler's licenses, and trout stamps.

It repeals the exemption from the trout stamp requirement for holders of a resident consolidated senior sport fishing license who fish outside the general license period.

### **HB114/SB249 | Pesticide Applicators and Obsolete Provisions**

*Sponsored by Environment; Education*

Establishes requirements for the commercial application of general use pesticides, restricted use pesticides, and private application of restricted use pesticides.

The act requires certified private applicators to ensure supervised individuals meet EPA training requirements, and it repeals obsolete provisions related to fee assessments and recordkeeping. The measure also specifies liability standards for certified applicators and outlines penalties for improper application of general and restricted use pesticides.

It repeals sections of prior law pertaining to pesticide applicator fee structures and recordkeeping requirements that were superseded by federal regulations.

### **HB286/SB266 | Planning Principles**

*Sponsored by Environment; Education*

Provides certain planning principles intended to create sustainable communities and to protect the environment utilizing active public participation.

The planning principles outlined in the measure emphasize optimizing land productivity by prioritizing development within population centers near existing infrastructure.

They prioritize energy-efficient, affordable, and reliable transportation networks that connect jobs, housing, and services.

The principles also integrate resiliency measures to minimize the impacts of rapid and unexpected natural and human-caused threats, and they provide for public spaces that foster social interaction and that value cultural, historical, and natural resources.

Lastly, the measure seeks to protect and restore sensitive ecological systems while conserving natural resources such as forests, agricultural areas, and waterways.

### **HB446/SB186 | Invasive Blue Catfish Pilot Program**

*Sponsored by Morgan, et al.; Bailey and Mautz*

Establishes the Invasive Blue Catfish Pilot Program in the Department of Natural Resources to curb the spread of the invasive blue catfish in the Chesapeake Bay and its tributaries and requires the department to expand the use of practices determined to be effective under the program.

## **HB731 | Wildlife Highway Crossings**

*Sponsored by Ruth, et al.*

Establishes the Maryland Connectivity Coalition to improve wildlife habitat connectivity and reduce wildlife and motor vehicle collisions by fostering collaboration among state and federal agencies, nongovernmental organizations, and other stakeholders.

The legislation requires the State Highway Administration to chair the coalition and to have final decision making authority regarding placement, funding, and design of wildlife crossings, and it directs local jurisdictions to consider wildlife movement and habitat connectivity when enacting, adopting, amending, or executing comprehensive plans.

The measure requires the coalition to develop criteria for prioritizing wildlife connectivity projects and performance metrics to evaluate their success.

The act directs the Department of Natural Resources to develop a website to publish information on the coalition's activities, to educate the public on wildlife connectivity and crossings, and to list completed and in-development wildlife crossings.

Finally, the law mandates that the State Highway Administration report on wildlife crossings in each Consolidated Transportation Program, including expenditures and measurable outcomes evaluating completed crossings.

## **HB894/SB946 | Incidental Taking of Bats**

*Sponsored by Jacobs, et al.; Carozza, Hester, and McKay*

Authorizes the Secretary of Natural Resources to issue incidental taking permits for the Indiana bat, the northern long-eared bat, the tricolor bat, or the eastern small-footed bat upon submission of a conservation plan and satisfaction of specified findings.

The measure requires each applicant to include in the conservation plan proposed measures to avoid, minimize, and mitigate harm to the listed bat species.

## **HB1155/SB722 | Definition of Ecological Restoration**

*Sponsored by Stein; Henson and Augustine*

Defines the term ecological restoration as an activity undertaken with the goal of recovering, re-establishing, or enhancing a degraded, damaged, or destroyed ecosystem through improvements to physical, chemical, or biological characteristics or processes, returning natural or historical functions or services, or protecting or improving resiliency.

## **SB335 | Bag Limits on Canada Geese**

*Sponsored by Bailey and Mautz*

Requires, during the migratory Canada goose (Atlantic population) hunting season, the bag limit for all Canada geese in certain areas of the state, including geese found in the Atlantic Flyway Resident Population Hunt Zone and the Atlantic Population Hunt Zone, to conform to the bag limit for Atlantic population Canada geese adopted annually by the U.S. Fish and Wildlife Service.

## **Emissions & Pollution**

### **HB1367 | Lead Testing and Inspections False Information**

*Sponsored by Rosenberg, et al.*

Establishes a civil penalty not exceeding \$50,000 for a person who falsifies information that is submitted in a report of the results of lead-contaminated dust testing or visual inspection of an affected property.

## **SB250 | Department of the Environment Fees, Penalties, Funding, and Regulation**

*Sponsored by Education*

Alters the authorized uses of the Maryland Clean Air Fund to include activities aimed at mitigating and reducing air pollution in the state.

The bill authorizes the Department of the Environment to charge fees for processing and issuing on-site sewage disposal permits and individual well construction permits in specified circumstances.

It also requires holders of a license to transfer oil into the state to pay a fee when oil owned by the licensee is first transferred into the state.

Finally, the act also establishes the Private Dam Repair Fund to provide financial support for repair and maintenance of nonfederal private dams.

## **Hazardous Waste**

### **SB253 | Controlled Hazardous Substance Facility Permitting**

*Sponsored by Education*

Provides that certain provisions of law regarding chemical warfare material requirements under a controlled hazardous substance facility permit do not apply to the incineration of chemical warfare materials at research facilities when conducted for research, development, or demonstration purposes.

The legislation establishes additional requirements applicable to research, development, and demonstration permits issued for the incineration of chemical warfare materials at research facilities.

It further clarifies that these exemptions do not limit the Department of the Environment's authority to apply regulations under the subtitle to chemical warfare materials classified as controlled hazardous substances.

## **Inland Water Quality & Management**

### **HB25/SB265 | Reservoir Augmentation Permitting**

*Sponsored by Environment; Education*

Establishes the Reservoir Augmentation Program in the Department of the Environment, defines "reservoir augmentation" as the planned placement of reclaimed water into a surface water reservoir used as a source for a drinking water treatment facility, requires a permit from the department to conduct reservoir augmentation, and establishes an Indirect Potable Reuse Pilot Program to recommend whether the program should be extended or made permanent, and any necessary statutory or regulatory changes.

The measure defines "reservoir augmentation" to ensure clarity in program scope and regulatory application, and it establishes an Indirect Potable Reuse Pilot Program to study pilot outcomes and to propose program extensions and statutory or regulatory revisions.

The bill also requires any person performing reservoir augmentation to obtain a permit from the Department of the Environment.

### **HB277/SB96 | Water Bottle Filling Station Requirements**

*Sponsored by Ruth, et al.; Brooks*

Requires installation of at least one water bottle filling station or a combined water bottle filling station and drinking fountain in specified new construction and renovation projects.

## **HB1124/SB964 | Well and On-Site Sewage Disposal Privatization Program**

*Sponsored by Dorchester County Delegation*

Authorizes the Department of the Environment, at the request of the Dorchester County government and the local health department or county agency in Dorchester County that has received a well or on-site sewage disposal system delegation of authority by the department, to establish a privatization program for the performance of activities associated with the well or on-site sewage disposal system delegation of authority in Dorchester County.

## **HB1296/SB930 | Managed Aquifer Recharge Pilot Program**

*Sponsored by Pruski and Lehman; Gile*

Prohibits a person from performing groundwater augmentation except under specified circumstances.

The measure establishes the Managed Aquifer Recharge Pilot Program to regulate and evaluate the use of treated reclaimed water as a source for groundwater augmentation through managed aquifer recharge permits.

It requires demonstration facilities to address a groundwater supply or quality problem anticipated to occur within the next 25 years.

The act also authorizes the Department of the Environment to issue managed aquifer recharge permits and to adopt regulations to implement the pilot program, and it directs the department to evaluate permit applications, monitor pilot outcomes, and report findings to inform potential future statewide implementation.

## **Land Management**

### **HB506 | Chesapeake Bay Legacy Act**

*Sponsored by Allen, et al.*

Creates the Water Quality Monitoring Program to collect and analyze data on surface and ground waters, with the goal of informing agricultural and conservation practices.

The measure also establishes the Maryland Leaders in Environmentally Engaged Farming (LEEF) Program and creates the LEEF Program Fund to support actions under the new initiative.

It also defines “healthy soils” for the purposes of the Maryland Healthy Soils Program, which broadens eligible soil management practices.

### **HB717 | Public Lands Acquisition and Management**

*Sponsored by Environment*

Alters provisions of law regarding the acquisition of real property by the Department of Natural Resources.

The act establishes a Land and Property Management Program within the department to process specified real property transactions.

It authorizes the department and the Natural Resources Police to establish affiliated foundations for program support and fundraising.

The bill also expands the purposes of the Forest and Park Reserve Fund to include land acquisition, stewardship, and operational expenses, and it allows the Governor to transfer Program Open Space funds to the department under designated conditions.

## **Reorganization & Coordination**

### **HB344/SB315 | Maryland Environmental Service Board of Directors**

*Sponsored by Stein and Lehman; Brooks and Kagan*

Alters the composition of the Board of Directors of the Maryland Environmental Service to include the Secretary of Planning or a designee as a voting member and two nonvoting legislative members.

The amendments specify that term-length, staggered appointment, and vacancy provisions do not apply to the Secretary of Planning, the legislative members, or the Executive Director.

The board will continue to consist of seven gubernatorial appointees serving staggered terms along with the added ex officio and nonvoting members.

### **SB73 | Chesapeake Conservation Corps Program Renaming**

*Sponsored by Simonaire, et al.*

Renames the Chesapeake Conservation Corps Program to the Thomas V. Mike Miller, Jr. Chesapeake Conservation and Climate Corps Program.

## **Solid Waste**

### **SB901 | Producer Responsibility Plans**

*Sponsored by Augustine, et al.*

Requires certain producers of covered materials, individually or as part of a producer responsibility organization, to submit a producer responsibility plan to the department of the Environment for review and approval by July 1, 2028, and every five years thereafter.

The legislation requires producer responsibility organizations to register annually with the Department and to pay administrative fees to fund plan review, oversight, and enforcement, and it expands the advisory council's duties to include reviewing submitted plans, making recommendations on plan approval and implementation, and advising on updates or revisions before submission.

The law directs producers to refrain from selling, distributing, or importing covered materials into the state without an approved plan, and it authorizes the department to impose penalties for noncompliance, with revenues deposited into the State Recycling Trust Fund.



# MISSISSIPPI

**In Brief:** Mississippi's 2025 session focused on pro-investment land policy, utility streamlining, and safety. HB246 unlocks mineral rights exceptions on sixteenth-section industrial sites, while SB2019 scales grants for forestry-linked infrastructure. HB186 extends public-sector efficiency contracts. Gas reliability and accountability tighten: HB1186 mandates annual school pipe pressure tests with shutoff authority; HB1191 modernizes 811 practices; SB2368 aligns pipeline penalties with federal caps; Power and tax policy evolves with HB962, which reenacts the Energy Academy and SB3166 sets separate inflation multipliers for utility-scale solar and wind. Local flexibility grows via HB1211's franchise-vote repeal and SB3267's water bottling. Coastal and health stewardship advance via SB2263 on oyster leases, SB2250's asbestos standards, HB1196/HB1447's drinking-water finance and fees, and HB959's hurricane-mitigation extension.

## Energy Legislation

### Critical Minerals & Rare Earth Elements

#### **HB246 | Sixteenth Section Land Extensions**

*Sponsored by Warren*

Amends existing law to provide an exception to the reservation of minerals in, on, and under certain sixteenth section lands conveyed for industrial development and to authorize the sale of specified mineral interests or a perpetual waiver of surface use rights.

Enterprises owning or operating qualifying industrial projects may purchase those mineral interests directly from the state.

The act further allows such enterprises to secure a perpetual waiver of the right to use the land's surface for exploration or production of minerals.

### Efficiency & Weatherization

#### **HB186 | Energy Efficiency Service Public Contracts**

*Sponsored by Ford*

Clarifies that an entity may use any sources of funding available to the entity to enter an energy services contract, energy performance contract, or shared-savings contract.

The bill also extends the date of the repealer on energy efficiency services public contracts.

### Fossil Energy

#### **HB1186 | Natural Gas Piping Systems Testing**

*Sponsored by Powell*

Adds an annual requirement for school facilities (excluding home schools) to conduct a pressure test on their natural gas piping systems before the school year begins or by July 1 for year-round schools.

The test, performed by a qualified plumber, must verify that piping downstream of the meter maintains normal operating pressure over a period determined by the Mississippi Public Service Commission.



Written notice of the date and results must be sent to the gas supplier, who must retain the notice for at least one year.

The measure requires suppliers to discontinue service if notified of hazardous leakage or if required testing is not performed. Identified gas leaks must be reported to the appropriate school board or school authority, and the Public Service Commission is directed to promulgate implementing rules by December 31, 2025.

The act also empowers regulated gas utilities to include financial assistance programs for schools in their efficiency or delivery plans.

### **SB2368 | Natural Gas Pipeline Safety Standard Penalties**

*Sponsored by Carter*

Prohibits penalties greater than the maximum civil penalty in federal law for natural gas pipeline safety violations.

### **SB3273 | Sebastopol Natural Gas Expansion**

*Sponsored by McCaughn*

Expands the boundaries of the Sebastopol Natural Gas District to include specified sections in Scott County and authorizes Newton, Leake, and Neshoba Counties to participate by resolution or separate legislation.

## **Nuclear Energy**

### **HB962 | Energy Academy Act Extension**

*Sponsored by Shanks*

Amends prior law to extend the authority granted to the Vicksburg-Warren and Claiborne County School Districts to partner with a nuclear power plant, Warren County, and the State of Mississippi to operate an Energy Academy focused on secondary education.

The bill reenacts and codifies the Energy Academy Act, originally established in 2019 and later amended in 2022, and removes the repealer clause.

## **Renewable Energy**

### **SB3166 | Solar and Wind Facility Inflation Multiplier**

*Sponsored by Harkins*

Amends current law to require the Department of Revenue to assign a separate industrial property inflation multiplier for commercial solar and wind facilities.

The act directs the department, when publishing its annual table of inflation factors for industrial property, to categorize and calculate multipliers for these renewable energy installations independently from other industrial property types.

## **Utilities**

### **HB1191 | Underground and Submerged Utilities Requirements**

*Sponsored by Powell*

Modifies the state's damage prevention laws by refining definitions related to underground utilities, imposing stricter dialing and notification requirements for both excavators and utility operators, and tailoring response timelines to the type of excavation.

The measure requires excavators undertaking emergency digs to provide on-site contact information and introduces authority for large-scale projects to request preconstruction meetings with operators, allowing stakeholders to establish specific procedures and deadlines.

#### **HB1211 | Municipal Ordinance Provisions**

*Sponsored by Powell*

Removes the requirement that before a municipal ordinance that grants utility franchises or the right to use certain streets, such ordinance must be approved by a majority of qualified electors in the municipality and to remove the requirement that the ordinance be read by the municipal clerk before the ordinance is passed by the governing authorities.

#### **SB3267 | Greenwood Utilities Commission Water Sales**

*Sponsored by Chassaniol and Jordan*

Authorizes the Greenwood Utilities Commission to bottle and sell water sourced from its municipal supply directly to consumers.

### **Environmental Legislation**

#### **Coastal Zone Management**

##### **SB2263 | Approval of Oyster Leases**

*Sponsored by Ladner*

Clarifies the authority of the Mississippi Department of Marine Resources to approve oyster leases and maintains public access to areas not subject to a lease.

The department is granted full and complete authority to lease all bottoms within its jurisdiction, including natural reefs and any areas outside riparian boundaries, under the law.

#### **Community & Environmental Health**

##### **SB2280 | Mississippi Wild Turkey Stamp**

*Sponsored by Suber*

Imposes a requirement to possess a wild turkey stamp before hunting wild turkeys in the state.

#### **Emergency Management & Homeland Security**

##### **HB959 | Comprehensive Hurricane Damage Mitigation Program Extension**

*Sponsored by Shanks*

Extends the date of the repealer on the Comprehensive Hurricane Damage Mitigation Program within the Department of Insurance to July 2028.

#### **Hazardous Waste**

##### **SB2250 | Asbestos Abatement Training**

*Sponsored by DeLano*

Recognizes additional professional qualifications and training for asbestos abatement personnel, removes certain certification restrictions, and aligns state definitions and requirements with federal asbestos abatement certification standards.

## **Inland Water Quality & Management**

### **HB1196 | Pearl River Valley Water Supply District Loans and Grants**

*Sponsored by Powell*

Authorizes the Pearl River Valley Water Supply District to participate in the local governments and Rural Water Systems Improvements Revolving Loan and Grant Program administered by the Department of Health.

### **HB1447 | Water Quality Analysis Fees**

*Sponsored by Creekmore*

Authorizes the State Department of Health to increase fees for water quality analysis and related activities as required by the Federal Safe Drinking Water Act.

## **Land Management**

### **SB2019 | Forestry Facility Grant Program Provisions**

*Sponsored by McCaughn*

Rescinds the sunset on the Forestry Facility Grant Program, increases legislative appropriations into the special Forestry Facility Grant Fund to \$10 million, and expands eligible recipients to include larger-scale forestry infrastructure projects, such as installations of power lines, gas lines, water and sewage systems, while covering land acquisition, improvements, roads, rail, and utility development.

The Mississippi Development Authority is tasked with administering the fund, dispersing up to 75 percent of qualifying project costs, retaining up to two percent of the fund for administrative purposes, and establishing application and award criteria.

Unexpended funds roll forward year to year, and cooperative agreements with public, private, and nonprofit partners are authorized, according to the act.

# MISSOURI

**In Brief:** Missouri's 2025 energy agenda paired utility reform with stronger safety and environmental guardrails. **SB4** expands PSC authority, enables cost recovery including construction work in progress, clarifies smart meter opt outs, modernizes depreciation, and adds shutoff protections and economic development rates to speed grid and gas investments. **SB133** upgrades the 811 system: new lines must be locatable, allows physical or electronic white lining, shields compliant excavators from mis marked lines, and requires annual damage reporting and timely design information requests. Environmental oversight rises as **HB516** lets residents trigger state testing for suspected radioactive contamination across soil, dust, and water. Water sovereignty rounded out the session with **SB82**, which requires permits for pipeline exports, with a border area exemption and mandatory reporting and oversight.

## Energy Legislation

### Utilities

#### **SB4 | Utility and Infrastructure Reform**

*Sponsored by Cierpiot and Hurlbert*

Enacts a comprehensive reform of utility and energy infrastructure regulation, establishes a new subclass of tangible personal property for certain solar energy systems, and modifies assessment methods for natural gas and pipeline infrastructure.

Solar panels, racking systems, inverters, and related solar equipment installed before August 9, 2022 are now defined as “tangible personal property,” and a subclass for such property is created. Assessments for that subclass are fixed at 5 percent of true value.

Further, the measure:

- Removes “new natural gas units” from definition of “qualifying electric plant” for deferral purposes;
- Extends the sunset of deferral provisions for electrical corporations from Dec. 31, 2028, to Dec. 31, 2035;
- Extends deadline for applying for deferrals to Dec 31, 2033 (whole deferral provisions expire Dec. 31, 2040); and
- Excludes investments in new generators and energy storage from the requirement that grid modernization comprise 25 percent of capital investment plan each year.

The act repeals the current maximum penalty provisions under natural gas safety standards, and a new maximum penalty is set consistent with the U.S. Department of Transportation’s authority.

The measure expands the Public Service Commission's authority, updates rules on smart meter opt-outs, revises depreciation schedules for utilities, and introduces measures for utility cost recovery, including construction work in progress. It raises the cap on assessments by the commission to up to 0.45 percent (from 0.315 percent) of gross intrastate operating revenues (excluding telecommunications).

Finally, the measure directs gas corporations to offer a 25 percent discount for four years for incremental load when:

- New customer's projected usage is  $\geq 270,000$  hundred cubic feet/year; or
- Existing customers with a projected usage increase of  $\geq 135,000$  hundred cubic feet/year.

### **SB133 | Detecting Underground Facilities**

*Sponsored by Fitzwater and Hurlbert*

Modifies and creates new provisions related to underground facilities.

Under the act, an underground facility owner must ensure that all new and active underground facilities installed on any real property after August 28, 2025, except storm sewers and sanitary sewer mains and laterals installed at depths over six feet, are equipped with a detectable underground location device unless the facility can be located from above ground with an electronic locating device.

The measure reconfigures the notification center's Board of Directors to include four voting directors elected by the board from damage prevention stakeholders within the construction industry (three from heavy civil, site grading, road, or highway contractors and one from a utility or underground contractor) with none employed by an underground facility owner or operator.

The legislation also permits excavators to designate planned excavation routes by physical white lining or electronic white lining through the notification center when locations cannot be clearly identified and requires excavators to notify the center if they discover an unmarked underground facility after markings have been provided.

The law mandates that owners of electric, gas, or pipeline facilities submit annual damage reports to a central repository on the date determined by the Common Ground Alliance and requires design information requests to the notification center at least five working days before the requested delivery date.

It also shields excavators from liability for damaging an underground facility due to incorrect information provided by the facility owner, provided the excavator complied with all safety and notice requirements and there was no visible indication of a mis-marked facility.

## **Environmental Legislation**

### **Hazardous Waste**

#### **HB516 | Hazardous Waste Investigations**

*Sponsored by Matthiesen and Wellenkamp*

Allows individuals, community groups, or local governing bodies to request investigations into potential radioactive waste contamination.

The act requires that the Department of Natural Resources conduct sampling and analysis, including soil, dust, and water testing, when requests are received.

The department is permitted to seek a warrant to access property owned by governmental agencies if access is otherwise denied, and the law end the transfer of funds from the Hazardous Waste Fund and limits annual funding to no more than \$150,000 from General Revenue, while authorizing receipt of gifts or bequests.

## **Inland Water Quality & Management**

### **SB82 | Water Preservation Provisions**

*Sponsored by Burger and Bunting*

Creates a prohibition on exporting water outside of Missouri via pipeline facilities unless a water exportation permit is obtained from the Department of Natural Resources.

A permit is not required when both withdrawal and end use stay within thirty miles of the state border, although such exports still require annual reporting of volumes, withdrawal rates, and end use.

Before reviewing an application, the department must determine compliance with statutory criteria including water availability, beneficial in-state use, and lack of harm to existing users.



# NORTH CAROLINA

**In Brief:** North Carolina lawmakers prioritized predictable permitting, utility finance, and disaster recovery in 2025. H402 adds supermajority or unanimous votes, plus legislative ratification at \$20 million or more, for costly rules. S266 shifts to carbon neutrality by 2050, expands CWIP cost recovery, and broadens fuel cost pass-throughs with tighter reviews. S664 opens megasite programs to co-ops and adds electric infrastructure, H247 strengthens 811 enforcement, and S311 raises penalties for assaults on utility and telecom workers. S472 and H768 set timelines for coastal and water certifications, while H850 pauses large interbasin transfers and H694 studies regionalization. S387 tightens brownfields compliance and tax timing. H47 and H1012 fund Helene recovery and H251 codifies debris, healthcare, and looting rules. S706 boosts scrap-tire cleanup grants.

## Energy Legislation

### Reorganization & Coordination

#### **H402 | Limit Rules With Substantial Financial Costs**

*Sponsored by Chesser, et al.*

Creates a tiered system through which agency boards or commissions must adopt permanent rules that carry substantial financial costs.

Rules estimated to cost at least \$1 million in aggregate over five years must receive a two-thirds vote of the adopting board.

Costs exceeding \$10 million over five years trigger a requirement for unanimous approval by board members unless federally mandated.

Measures imposing \$20 million or more in costs within five years may not take effect unless ratified by a legislative bill.

### Utilities

#### **H247 | Underground Safety Revisions**

*Sponsored by Zenger, et al.*

Updates North Carolina's Underground Utility Safety and Damage Prevention Act.

The legislation enhances oversight by authorizing the Utilities Commission, at the Attorney General's request, to initiate court actions in Wake County Superior Court to recover civil penalties after administrative findings are final.

It also requires the Underground Damage Board to maintain records of alleged violations, including responses, for at least four years.

#### **S266 | The Power Bill Reduction Act**

*Sponsored by Moffitt, et al.*

Eradicates the interim carbon reduction target that required public utilities to reduce emissions by 70 percent by 2030 relative to 2005 levels.

The act replaces that target with a directive for utilities to take all reasonable steps toward carbon neutrality by 2050 without an interim deadline.

The measure authorizes recovery of financing costs associated with construction work in progress for baseload electric generating facilities through alternative cost-recovery mechanisms reviewed annually.

It expands fuel and fuel-related cost recovery to include broader categories of costs, including emissions-related inputs and all delivered power charges, subject to annual caps and allocation across customer classes.

The bill strengthens oversight by requiring the utilities commission to review construction costs on a rolling twelve-month basis and to hold hearings on prudence and reasonableness of expenses.

### **S311 | The Law and Order Act**

*Sponsored by Britt, et al.*

Increases the punishment for assault against utility or communications workers and establishes a range of new criminal offenses and sentencing enhancements.

### **S664 | Megasite Readiness and Selectsite Programs**

*Sponsored by Newton and McInnis*

Allows nonpublic and nonprofit entities organized under 501(c)(12) to qualify as government partnerships under the Megasite Readiness and Selectsite programs, which opens additional entities to participate in site infrastructure planning.

The legislation broadens infrastructure eligibility by removing “publicly owned” or “public” qualifiers from the long-range water and infrastructure definitions, and explicitly includes electric infrastructure as part of eligible projects.

## **Environmental Legislation**

### **Coastal Zone Management**

#### **S472 | Coastal Regulatory Reform**

*Sponsored by Jarvis, McInnis, and Moffitt*

Creates a structured timeline for Department of Environmental Quality (DEQ) action on Clean Water Act water quality certification applications that are eligible for federal Nationwide or Regional Permits.

The act requires DEQ to notify applicants of required fees within five business days of application receipt, and permits application review to begin only after fee payment.

Those applications must be reviewed for completeness within thirty days, with a twenty-business-day review of supplemental information.

The measure also establishes an expedited permitting procedure for upland basin marinas meeting specified environmental criteria.

Finally, the bill defines man-made ditches to exclude altered or excavated natural streams or wetlands, and prohibits such ditches from being designated as coastal Areas of Environmental Concern under the Coastal Area Management Act.

## **Community & Environmental Health**

### **S477 | DNCR Confidentiality Provisions**

*Sponsored by Johnson*

Establishes confidentiality provisions and administrative updates for the Department of Natural and Cultural Resources.

The legislation exempts sensitive habitat and species data from public records when disclosure could pose risks to conservation. It also allows the department to adopt visitor conduct rules without following the full administrative rulemaking process.

## **Emergency Management & Homeland Security**

### **H47 | Disaster Recovery Act of 2025 - Part I**

*Sponsored by Greene, et al.*

Provides additional appropriations for recovery from Hurricane Helene, extends the state of emergency, and extends related disaster recovery regulatory and procurement flexibility provisions.

### **H251 | Various Disaster Recovery Reforms**

*Sponsored by Hastings, et al.*

Prohibits discrimination based on political affiliation or political speech by the state when providing disaster recovery assistance.

The measure makes it a Class F felony for any person to loot another person's temporary housing in an emergency area during a declared state of emergency, and it automatically waives certain rules pertaining to hospitals in a disaster area if the United States Secretary of Health and Human Services issues a temporary waiver or modification of related federal requirements.

The act temporarily exempts certain eligible commercial buildings located within a Helene-affected county from compliance with upgraded State Building Code requirements related to fire-resistant windows.

It further authorizes the owner of a lawfully established building damaged by a historic flood event to replace or reconstruct the building within the base floodplain to the same or lesser extent or volume existing immediately before the historic flood event without regard for state or local regulations adopted afterward.

The measure also exempts the processing of tree stumps into mulch or other soil amendments from solid waste composting rules and other state-only requirements, permitting, rules, and limitations related to composting and mulch.

Finally, the measure requires units of local government in Helene-affected counties managing vegetative debris removal to transport that material to a composting site for reuse when the cost is equal to or less than transporting the material to a landfill.

### **H1012 | Disaster Recovery Act of 2025 - Part II**

*Sponsored by Appropriations*

Allocates recovery funds and extends regulatory flexibility for communities impacted by Hurricane Helene and wildfires.

## **Emissions & Pollution**

### **S387 | Brownfields Property Reuse Act Revisions**

*Sponsored by McInnis, Moffitt, and Jarvis*

Establishes a new compliance fee assessed to any prospective developer or property owner subject to a recorded Notice of Brownfields Property who fails to fulfill requirements under the reuse agreement.

The act authorizes the Department of Environmental Quality (DEQ) to set a fee schedule against noncompliance, eliminating the existing two-installment payment structure and thereby enhancing cost recovery mechanisms.

The measure revises the definition of “qualifying improvements” eligible for the brownfields tax exclusion, limiting eligibility to improvements made after DEQ confirms written eligibility for a brownfields agreement.

It continues the partial tax exclusion for qualifying improvements over five taxable years while explicitly permitting successive exclusion periods for separate development phases.

## **Inland Water Quality & Management**

### **H694 | Public Water Study**

*Sponsored by Warren, et al.*

Creates a direction for the Environmental Finance Center at the University of North Carolina School of Government to investigate the financial, statutory, and regulatory challenges and benefits of regionalizing public water and wastewater systems across the state.

The measure directs identification of specific public systems that could benefit from consolidation and outlines recommendations for legislative or regulatory reforms to support financial stability.

It also eliminates subbasin designations for the Haw River, Deep River, and Contentnea Creek areas, allowing intrabasin water transfers within the same major river basin without requiring a certificate.

### **H768 | Permitting under the Clean Water Act**

*Sponsored by Brody, et al.*

Requires the Department of Environmental Quality to follow defined review steps for Clean Water Act section 401 certifications arising from projects eligible for federal Nationwide or Regional Permits.

Notices of fees must be issued within five business days or waived, and application completeness must be determined within 30 business days followed by a 20-business-day review window for supplemental information.

If the department fails to act within those timeframes, the application is deemed complete, according to the measure.

### **H850 | Interbasin Transfer Moratorium and Study**

*Sponsored by Adams, et al.*

Sets a prohibition on the Environmental Management Commission from issuing certificates authorizing new or increased surface water transfers exceeding fifteen million gallons per day, pending a study.

The bill directs the North Carolina Collaboratory at University of North Carolina Chapel Hill to conduct a comprehensive review of existing surface water transfer laws and propose revisions by the 2027 General Assembly.

The act requires the evaluation of environmental impact study adequacy, consideration of economic equity for low-income or smaller communities, pollution implications for riverine ecosystems, climate-driven flow variability, incentives for drought resiliency, and land use planning.

## **Solid Waste**

### **S706 | County Waste Management Assistance**

*Sponsored by Craven, et al.*

Authorizes the use of up to 75 percent of scrap tire disposal tax revenue from the Solid Waste Management Trust Fund for grants to local governments to assist in scrap tire cleanup and disposal.

The measure grants up to 15 percent of those revenues toward initiatives promoting use of processed scrap tire materials such as tire-derived fuel, crumb rubber, or recycled auto parts.



# OKLAHOMA

**In Brief:** Oklahoma's 2025 session centered on cleaner hydrocarbons with guardrails. **SB269** shifts CCS well oversight to DEQ with siting, monitoring, and financial assurance. **HB1369** tiers surety bonds; **SB132** compels action on idle wells; **HB1372** rewards orphan-well recovery; **SB897** extends the Plugging Fund; **SB460** makes natural gas the preferred fuel for new generation. Siting discipline grows as **HB1373** requires solar decommissioning security, **HB2752** bars eminent domain for renewables, and **SB713** requires wind light-mitigation. Grid policy prioritizes corridors and cost recovery via **HB2756** and **SB998**; **SB480** enables self-supply; **SB335** blocks incentives for fuel switching. Nuclear exploration advances under **SB130**. Water and local investment scale through **HB1422's** bonds, **HB1438's** rural grants, and **HB1588's** watershed study; **SB111** tightens installer certification. Conservation and emissions programs were adjusted with **SB469**, **SB448**, **SB940**, **SB1073**, **SB777**, and **SR14**.

## Energy Legislation

### Carbon Capture & Storage

#### **SB269 | Carbon Sequestration Jurisdiction**

*Sponsored by Rader and Luttrell*

Modifies regulatory jurisdiction over certain injection wells and creates provisions for the siting and operation of carbon dioxide sequestration facilities and storage units.

The measure transfers regulatory authority for specified CO<sub>2</sub> injection wells from the Corporation Commission to the Department of Environmental Quality. It also authorizes the establishment of sequestration facilities, setting criteria for site selection, permit issuance, and operational standards for storage units.

The law directs the department to adopt rules governing monitoring, reporting, and financial assurance for all sequestration activities.

### Fossil Energy

#### **HB1369 | Financial Ability for Drilling and Operating Wells**

*Sponsored by Boles, Green, Waldron, and Boren*

Requires surety bonds posted by oil and gas operators to be based on the number of wells they operate and modifies the required bond amounts.

For operators of one to ten wells, the bond amount is set at \$25,000. Operators managing between eleven and fifty wells must post a bond of \$50,000. Those with fifty one to one hundred wells are required to maintain a bond of \$100,000. Companies operating more than one hundred wells must secure a bond of \$150,000. The Corporation Commission retains authority to demand a higher bond from operators based on past performance while capping the maximum at \$150,000.

#### **HB1372 | Gross Production Tax Exemption for Production from Certain Wells**

*Sponsored by Boles, Green, and Waldron*

Grants a 50 percent discount on gross production taxes due for the first 36 months of production from wells on the Oklahoma Corporation Commission's orphaned well list.



The legislation requires a producer overseeing a recovery project for an orphaned well to file a \$25,000 security interest with the Secretary of State to be held in interest for the commission's Well Plugging Fund.

### **SB132 | Corporation Commission Jurisdiction**

*Sponsored by Burns, Boles, Waldron, and Green*

Directs operators of idle gas wells to plug or produce from specified wells by a statutory deadline.

The measure clarifies the Corporation Commission's jurisdiction over wells that have been inactive for 10 years.

### **SB460 | Natural Gas Energy Standard**

*Sponsored by Green and Boles*

Removes the prior expiration date and permanently designates natural gas as the preferred choice for new electric generation facilities.

It also declares that promoting natural gas energy development is in the public interest and recognizes the compatibility of natural gas with renewable resources such as wind energy.

### **SB897 | Termination Date of Well Plugging Fund**

*Sponsored by Bergstrom and Kendrix*

Extends the termination date for the Corporation Commission's Well Plugging Fund from July 1, 2026, to July 1, 2031.

## **Nuclear Energy**

### **SB130 | Nuclear Energy Feasibility Study**

*Sponsored by Burns, et al.*

Directs the Oklahoma Corporation Commission to conduct a study on the technical and legal feasibility of generating nuclear energy in Oklahoma.

The study will encompass the economic and environmental impacts, workforce and supply-chain considerations, design and siting criteria, safety requirements, cost estimates, small modular reactor capabilities, socioeconomic factors, and policy recommendations.

## **Renewable Energy**

### **HB1373 | Commercial Solar Facility Decommissioning Act**

*Sponsored by Boles, Green, and Hader*

Requires industrial solar power facilities to include in their contracts with landowners a guarantee to remove installed solar equipment, and it voids any contractual provisions exempting facilities from that obligation.

The law mandates that solar facilities provide and maintain financial assurances demonstrating the ability to remove equipment, with updates required every five years to account for inflation and cost adjustments.

It also prohibits cancellation of financial assurances until the facility has fulfilled all removal obligations.

## **HB2752 | Eminent Domain for Renewables**

*Sponsored by Caldwell, et al.*

Prohibits renewable energy companies from using eminent domain to acquire land for wind, solar, and battery storage facilities.

The act also requires any person, firm, or corporation seeking to condemn property for electric transmission lines rated above 300 kilovolts to obtain a Certificate of Authority from the Corporation Commission.

## **SB713 | Wind Energy Facility Requirements**

*Sponsored by Jech and Newton*

Requires newly established wind energy facilities to apply for light-mitigating technology systems prior to commencing operation.

Applications must be submitted to the Oklahoma Corporation Commission and include system specifications, installation plans, and cost estimates.

Operators may recover prudently incurred costs for the purchase, installation, and maintenance of the required technology through approved rate proceedings.

## **Utilities**

### **HB1031 | Oklahoma Energy Resources Board Extension**

*Sponsored by Kendrix and Bergstrom*

Extends the sunset date for the Oklahoma Energy Resources Board to July 1, 2031.

### **HB1060 | Oklahoma Uniform Easement Relocation Act of 2025**

*Sponsored by Wilk and Standridge*

Defines the process by which a servient estate owner may relocate an easement through civil action under specified conditions.

Servient estate owners are required to ensure that relocation does not lessen the utility of the easement, increase the burden on the easement holder, impair the easement's purpose or safety, or negatively impact the value or condition of the affected properties.

The measure details the civil procedures for relocation and assigns responsibility to the servient estate owner to cover all relocation costs and to comply with applicable utility and safety standards.

### **HB1666 | Underground Facilities Damage Preventions Act Modifications**

*Sponsored by Cantrell and Frix*

Modifies the definition of 'excavate' under the Underground Facilities Damage Prevention Act to clarify that grading or routine maintenance of county roads that does not change the existing road grade or ditch flow line is not considered excavation.

### **HB2756 | Electric Transmission Facilities Corridors**

*Sponsored by Caldwell, et al.*

Defines terms including certificate of corridor compatibility, electric transmission facility, operator, and right-of-way corridor.

The measure states that when seeking approval for new or modified electric transmission corridors, applicants must submit detailed plans, maps, and technical information.

The bill specifies public notice protocols and hearing procedures to inform affected landowners and the public, and it empowers the Corporation Commission to hold meetings, adopt rules, and require plan modifications as necessary.

The measure also specifies public notice protocols and hearing procedures to inform affected landowners and the public.

### **SB335 | Retail Electric Suppliers Incentives Prohibition**

*Sponsored by Green and Archer*

Prohibits rate-regulated retail electric suppliers from offering ratepayer-funded incentives, rebates, or inducements to encourage customers to switch from natural gas to electricity.

The measure applies to suppliers whose rates are set or approved by the Corporation Commission.

### **SB480 | Public Utilities Provisions**

*Sponsored by Green, et al.*

Modifies the definition of public utility to exempt certain electricity producers from classification as public utilities.

The measure creates a new exception allowing entities that generate electricity to provide service directly to themselves, their affiliates, or their tenants without being subject to public utility regulation.

The legislation permits exempt entities to contract with existing utilities for the provision of electric service under the new exception.

The exception applies only to producers delivering electricity solely for internal use or to specified related parties.

### **SB998 | Cost Recovery for Transmission Upgrades**

*Sponsored by Green, Caldwell, and Gollihare*

Establishes cost recovery provisions for transmission upgrades and modifies the application process for constructing certain facilities under public utility regulation.

The legislation directs the Utilities Commission to adopt rules that allow public utilities to recover prudently incurred costs of transmission upgrades through adjustments to their rates.

It also streamlines the application process for facilities involved in the generation, transmission, or distribution of electricity by consolidating review steps and reducing duplication in approvals.

## **Environmental Legislation**

### **Community & Environmental Health**

#### **SB448 | Wildlife Management Area Permissions**

*Sponsored by Hamilton and Grego*

Requires nonresident hunters to obtain written permission from the Wildlife Conservation Commission before hunting on Wildlife Management Areas.

The permission must be issued in writing by the commission and may be granted through a lottery system when demand exceeds area capacity with permit fees up to 100 dollars.

The law applies to all state Wildlife Management Areas and National Wildlife Refuges under the commission's jurisdiction.

### **SB777 | Harvesting of Certain Fish and Aquatic Species**

*Sponsored by Jett and West*

Allows licensed producers to harvest game fish, paddlefish, nongame fish, and other aquatic species from public waters under regulations established by the Department of Wildlife Conservation.

The bill prohibits the sale of game fish or paddlefish that have been mixed with privately produced aquatic species, preserving the integrity of wild stocks.

The measure bars licensees from receiving aquatic species free of charge from state or federal sources, ensuring a level playing field in commercial aquaculture.

### **SB940 | Harmful Woody Species Report**

*Sponsored by Jech, Dobrinski, and Ranson*

Requires the Oklahoma Conservation Commission to implement a statewide plan targeting harmful woody species on lands owned and operated by the state.

The legislation directs various state agencies, including the Department of Agriculture, Food, and Forestry and the Department of Wildlife Conservation, to compile an inventory of harmful woody species and to develop corresponding plans for their control, removal, and eradication.

### **SB1073 | Wildlife Lottery System**

*Sponsored by Murdock, Newton, and Adams*

Adds raffle authority to existing special commission tags for wildlife species without an open hunting season.

The legislation directs the Oklahoma Wildlife Conservation Commission to use a lottery system when issuing permits for mountain lion hunting or any species for which no open season exists.

It also authorizes the commission to establish rules governing application procedures, permit fees up to one hundred dollars, and the use of proceeds from the raffle for department purposes.

### **SR14 | 90th Anniversary of Black Sunday**

*Sponsored by Paxton, et al.*

Commemorates the 90th anniversary of Black Sunday and reminds Oklahomans of the continuing need to protect and conserve soil, water, and other natural resources.

The resolution honors the legacy of the Dust Bowl storms of April 14–15, 1935, and encourages ongoing state and local conservation efforts to safeguard natural resources.

## **Emissions & Pollution**

### **SB469 | Oklahoma Emission Reduction Technology Rebate Program Eligibility**

*Sponsored by Woods, Boles, and Adams*

Modifies the Emission Reduction Technology Rebate Program to refine eligibility criteria for rebate payments.

According to the law, applicants must submit documentation of in-state project expenditures to the Department of Environmental Quality within six months after the end of the fiscal year in which implementation was completed and no later than six months prior to program cessation.

The legislation establishes a preliminary review process allowing applicants to obtain provisional approval before incurring project expenses. Applicants are required to file all state tax returns and to maintain a certificate of general liability insurance with minimum coverage of \$1 million and a workers compensation policy as mandated by law.

The Department of Environmental Quality will approve or disapprove all rebate claims and notify the Tax Commission, which will issue payments proportionally if available funds are insufficient.

## **Inland Water Quality & Management**

### **HB1422 | Grand River Dam Authority Bond Capacity**

*Sponsored by West, Woods, Ford, and Bergstrom*

Authorizes the Grand River Dam Authority to issue bonds in an amount not to exceed \$3,600,000,000.

Proceeds from the authorized bonds may be used to finance the acquisition, construction, repair, or improvement of projects and facilities under the authority's jurisdiction.

### **HB1438 | Waters and Water Rights Modernization Act of 2025**

*Sponsored by Patzkowsky, Kern, Pederson, and Frix*

Raises the cap on individual grant awards under the Rural Economic Action Plan grant program from \$150,000 to \$350,000 for water infrastructure and improvement projects benefiting rural communities.

Known as the Waters and Water Rights Modernization Act of 2025, it expands the maximum funding available for water-related infrastructure projects under the program to \$350,000 per project.

### **HB1588 | Spring Creek Watershed Study Act**

*Sponsored by Hardin, Woods, Deck, and Alonso-Sandoval*

Establishes the Spring Creek Watershed Study Act within the Oklahoma Conservation Commission.

The legislation directs the commission to undertake a watershed-based water quality plan to improve and protect aquatic habitat through voluntary, incentive-based programs, in cooperation with federal and state partners, and to publish an electronic report of its findings.

The measure authorizes the commission to apply for and accept grants, gifts, and other public or private funds to implement the study.

### **SB111 | Sewage Disposal System Installation Certification**

*Sponsored by Kern and Burns*

Decreases the threshold for certification of sewage disposal system installers by requiring certification for individuals installing more than one system.

The measure lowers the annual installation threshold triggering certification from more than two systems to more than one system.

# PUERTO RICO

**In Brief:** In 2025, Puerto Rico blended pragmatic energy transition with enforcement and coastal stewardship. H267-2025 extends the coal phase-out to December 31, 2032, trading speed for grid reliability while H268-2025 strengthens Energy Bureau penalties and forbids passing fines to ratepayers. S82-2025 widens the renewables tent by defining green hydrogen as “alternate renewable energy,” aligning with DOE planning and future federal incentives. On the environment, S83-2025 establishes a permitting-and-penalties framework for introduced species, and S165-2025 refreshes Culebra and Vieques’ Preservation Fund, sustaining a \$2 visitor fee and targeted uses. H277-2025 pauses single-use plastics enforcement through 2026 while a working group reassesses practical implementation.

## Energy Legislation

### Fossil Energy

#### **H267-2025 | Coal Phase-out Extension**

*Sponsored by Núñez and Miembros PNP*

Amends the 2019 Energy Public Policy Act in order to, among other minor changes, extend the coal phase-out date to December 31, 2032.

### Renewable Energy

#### **S82-2025 | Green Hydrogen Definition**

*Sponsored by Schatz and Veve*

Adds green hydrogen to the definition of “alternate renewable energy” in line with the plan adopted by the U.S. Department of Energy.

### Utilities

#### **H268-2025 | Fines and Collections for Utilities**

*Sponsored by Núñez and Miembros PNP*

Strengthens the Energy Bureau’s penalty and collections powers and bars passing such fines to ratepayers.

## Environmental Legislation

### Community & Environmental Health

#### **S83-2025 | Introduced Species Management**

*Sponsored by Schatz, et al.*

Creates the Law for the Management of Introduced Species, setting policy, permitting, and penalties for invasive species.



**S165-2025 | Environmental Preservation Fund**

*Sponsored by Santoni and Álvarez*

Updates the Permanent Environmental Preservation Fund for Culebra & Vieques to keep a \$2 visitor fee and clarifies separate accounts and allowed uses, such as recycling and sensitive area upkeep.

**Solid Waste****H277-2025 | Single-use Plastics Ban Pause**

*Sponsored by Ramírez, Colón, and Dávila*

Temporarily pauses enforcement of the single-use plastics ban until December 31, 2026, and creates a working group to study the issue.

# SOUTH CAROLINA

**In Brief:** South Carolina's 2025 legislative session centered on capacity, reliability, and clearer processes. **H3309** (Energy Security Act) formalizes PSC schedules, IRP reform, competitive procurement, and joint ownership, while inviting natural-gas additions plus fusion, advanced nuclear, and SMRs. Gas deliverability is emphasized by **H4376/S370** backing the Williams Transco expansion; **S157** accelerates storm-cost securitization for Hurricane Helene; and **H3571** tightens 811 notice and damage reporting. Nuclear optionality returns via **S51's** V.C. Summer RFP. **S275** shapes EV charging with fair, nondiscriminatory service and PSC oversight. Affordability enters the debate as **H4498** declared an energy-burden crisis before **H4525** rescinded it. Resource stewardship rounds out the session: **H3814** widens water studies, **S171** upgrades tire recycling rules, **S219** manages snapper-grouper, **H3991** dims lights for birds, and **H3813** ends party dog hunts.

## Energy Legislation

### Fossil Energy

#### **H4376/S370 | Williams Transco Southeast Supply Enhancement Project**

*Sponsored by Herbkersman, et al.; Gambrell, et al.*

Express support for the Williams Transco Southeast Supply Enhancement Project, which aims to increase access to natural gas and expand energy capacity to meet growing demand in addition to creating jobs for South Carolinians.

### Nuclear Energy

#### **S51 | Public Service Authority RFP for V.C. Summer**

*Sponsored by Davis, et al.*

Encourages Santee Cooper to issue a request for proposal to solicit proposals on utilizing assets associated with V.C. Summer Units 2 and 3.

The resolution urges Santee Cooper to make available fundamental information needed for entities to prepare proposals, including legal and equitable ownership interests and any project data vaults, without impacting customer utility rates.

### Utilities

#### **H3309 | South Carolina Energy Security Act**

*Sponsored by Smith, et al.*

Enacts the South Carolina Energy Security Act.

The act establishes procedures requiring the Public Service Commission to set schedules for testimony and discovery in contested proceedings, to permit electrical utility customers to appear as public witnesses, and to engage an independent third-party consultant.

The Office of Regulatory Staff is directed to include public interest considerations and to prepare a comprehensive state energy assessment and action plan, to be periodically updated.

The legislation encourages major electric utilities, the Public Service Authority, and other stakeholders to evaluate existing and proposed generation facilities, including natural gas-fired plants, large-scale solar systems in unzoned counties, fusion energy, advanced nuclear, and small modular reactors.

It also authorizes the Public Service Authority to jointly own generation and transmission facilities with private utilities and empowers electric utilities to request annual rate adjustments under commission-defined requirements.

The bill creates new requirements for state agency review of energy infrastructure project applications, including procedural rules, a sunset provision, and an appellate path to the State Supreme Court.

The measure revises integrated resource planning, demand-side management, voluntary renewable energy programs, and competitive procurement by expanding program considerations, requiring annual utility reporting, and mandating competitive solicitations for renewable energy and storage facilities.

The commission's procedures are modified by amending rules for ex parte communications, imposing timelines for rehearing petitions, permitting commission tours of utility facilities, and adjusting commissioner compensation levels.

Finally, the act tasks the Office of Regulatory Staff with conducting studies of third-party administrator models, retaining independent analysts for construction projects of \$500 million or more, and overseeing utility cost-deferral and resource co-location agreements.

### **H3571 | Underground Facility Damage Prevention**

*Sponsored by Hiott, et al.*

Specifies notice requirements for excavations and demolitions, including additional timeframes and requirements for notices of intent prior to commencement.

The act requires excavators to immediately report damages to both the notification center and facility operators and to submit quarterly damage reports.

Enhanced notification and response protocols for emergency excavations are established by the bill, and it designates false emergency claims as violations of the chapter.

The bill also provides a complaint process, imposes civil penalties for notice violations, and revises exemptions from notice requirements.

### **H4498 | Energy Burden Crisis and Energy Justice Day**

*Sponsored by Reese, et al.*

Declares energy burden as a crisis in South Carolina, calls for immediate attention and action to address energy affordability challenges, and recognizes September 24, 2025, as South Carolina Energy Justice Day.

### **H4525 | Rescind the Adoption of H4498**

*Sponsored by Reese*

Rescinds the adoption of HB 4498.

### **S157 | Storm Damage Recovery Costs**

*Sponsored by Alexander, Rankin, Graham, and Garrett*

Allows electrical utilities to include storm recovery costs for Hurricane Helene in its cost of capital from the date of the storm through the issuance of storm recovery bonds.

The bill further allows electrical utilities to defer the review and approval of a financing order by the Public Service Commission.

The bill also defines the term qualified independent third party that may be designated and retained by the commission.

### **S275 | EV Charging Stations**

*Sponsored by Grooms, et al.*

Adds definitions for direct current fast charging station, electric vehicle, and electric vehicle charging provider, and requires that charging services offered to the public be provided on a fair, reasonable, and nondiscriminatory basis with regulated revenue.

The legislation mandates that electric utilities and other providers offering public charging stations refrain from granting an unreasonable advantage to direct current fast charging stations, and it directs the Public Service Commission to establish rules governing revenue collection and reporting for electric vehicle charging services.

## **Environmental Legislation**

### **Community & Environmental Health**

#### **H3813 | Party Dog Hunts**

*Sponsored by Hixon*

Removes references to registered party dog hunts in Game Zone 1 for bear hunting.

The measure eliminates statutory authorization for party dog hunts to occur within that designated hunting zone.

#### **H3991 | Lights Out Nights in South Carolina Season**

*Sponsored by Wetmore, et al.*

Declares the nights of March through May and August through October as Lights Out Nights in South Carolina Season and urges residents to turn out nonessential lights at night during these critical periods in the spring and fall for the protection of birds within the state.

#### **S219 | Snapper-Grouper Fishery Management Plan**

*Sponsored by Goldfinch*

Establishes seasons, catch limits, and minimum sizes for certain snapper-grouper species under the Fishery Management Plan.

### **Inland Water Quality & Management**

#### **H3814 | Surface Water Study Committee**

*Sponsored by Hixon*

Expands the scope of the Surface Water Study Committee to include a study of the current status of groundwater in the state, as well as other topics related to surface water and groundwater.

This resolution also extends the due date of the study committee's report from March 1, 2025, to March 2, 2026.

## **Solid Waste**

### **S171 | Regrooved and Regroovable Tires Requirements**

*Sponsored by Gambrell, Garrett*

Amends existing law by adding requirements for waste tire manifests, prohibiting the installation of unsafe used tires, amending county tipping fees, and directing the development of a statewide market infrastructure.

The law requires waste tire haulers transporting 15 or more tires at a time to complete and submit manifests approved by the South Carolina Department of Environmental Services and to carry a paper or electronic copy for inspection.

The measure prohibits the installation of unsafe used tires by defining standards for tire condition and hauler compliance.

Further, it authorizes counties to charge up to four hundred dollars as a tipping fee and to extend the fee collection to include used tires.

The act directs the development of a statewide market infrastructure for tire derived products to enhance recycling, reuse, and the growth of in-state manufacturing.

# TENNESSEE

**In Brief:** In 2025, Tennessee lawmakers focused on emergency governance, utility readiness, and an all-of-the-above energy mix. HB132 lets the Legislature terminate emergencies; SB92 and SB68 extend TEMA and EMAC; SB6003 creates Helene recovery funds, SB6004 expands TEMA assistance, HB1278 eases local loan charges, and SB915 relaxes borrow-pit limits in recovery counties. Utilities modernization advances as HB542 imposes 30-day plan reviews with third-party options, SB518 authorizes emergency cash-flow borrowing, SB380 trims board training, HB265 extends the utility regulator, SB1138 secures service continuity, and SB1281 segregates megasite utility interest income. Energy policy broadens: HB1143 codifies an inclusive clean-energy list, HB1133 adds nuclear tax credits, HB123 ensures AML lien notice, and SB1274 retools coal-residuals fees.

## Energy Legislation

### Emergency Management & Homeland Security

#### **HB132 | Emergency Management Powers of the Governor**

*Sponsored by Zachary, et al.*

Authorizes, if the Governor issues or extends an executive order or proclamation of a state of emergency, the General Assembly to terminate such state of emergency by joint resolution of both houses.

#### **SB92 | Tennessee Emergency Management Agency Extension**

*Sponsored by Jackson and Roberts*

Extends the Tennessee Emergency Management Agency to June 30, 2029.

### Fossil Energy

#### **HB123 | Liens on Abandoned Mine Lands**

*Sponsored by Lamberth, Cochran, and Powers*

Requires notification to property owners before filing a lien on abandoned mine lands, directs the Commissioner of the Department of Environment and Conservation to inform owners of the proposed lien amount and available options, and ensures that documentation is provided at least thirty days prior to lien filing.

#### **SB1274 | Regulating Coal Combustion Residuals**

*Sponsored by Johnson and Walley*

Defines changes to fees for environmental regulatory programs and modifies the regulation of coal combustion residuals disposal units.

The measure raises the maximum per-ton fee that the Board of Water Quality, Oil and Gas is authorized to set for non-Title V sources from \$18.75 to \$38.00 per year.

It also removes coal combustion residuals disposal units from the scope of fees governed by the Tennessee Environmental Protection Fund.



The act further authorizes the board and the Air Pollution Control Board to adopt rules establishing fees within the new statutory limits.

Finally, the law maintains reimbursement of administrative and enforcement costs for coal combustion residuals activities by the Tennessee Valley Authority outside the Environmental Protection Fund.

## **Nuclear Energy**

### **HB1133 | Pollution Control Tax Credits for Nuclear Energy Facilities**

*Sponsored by Boyd, et al.*

Authorizes nuclear energy production facilities to claim pollution control tax credits for certain machinery and equipment.

Facilities may apply to the Department of Revenue to receive credits for qualifying pollution control investments.

## **Renewable Energy**

### **HB1143 | Renewable Energy Requirements**

*Sponsored by Boyd, et al.*

Clarifies that a political subdivision that imposes requirements or expectations related to the type of clean, green, or renewable energy used by a public utility in an ordinance, resolution, or other regulation must include certain sources of energy as permissible sources of clean, green, or renewable energy, regardless of whether the political subdivision classifies the requirements or expectations as relating to clean, green, or renewable energy.

The approved sources listed by the bill are solar energy, photovoltaic cells and panels, hydropower, wind power, hydrogen fuel, nuclear power, natural gas, fuel cells, energy from waste to energy facilities, energy storage systems or technologies, geothermal energy, dedicated crops grown for energy production, industrial byproduct technologies that use process heat or fuel as a byproduct, waste heat recovery for heating or work, combined heat and power systems, pumped storage hydropower, compressed air energy storage, biomass, and renewable natural gas.

## **Utilities**

### **HB100 | Board Member Compensation**

*Sponsored by Howell*

Authorizes the members of the board of directors of energy authorities formed under the Municipal Energy Authority Act to receive certain additional compensation for attendance at meetings for each additional utility system over which the board has jurisdiction and health insurance coverage.

### **HB265 | Board of Utility Regulation Extension**

*Sponsored by Lafferty*

Extends the Tennessee Board of Utility Regulation to June 30, 2029.

### **HB542 | Utility Development Plans**

*Sponsored by Vaughan, Hardaway, and Todd*

Requires utilities to complete reviews of development plans submitted on or after July 1, 2025, within 30 days.

The act declares that if a utility fails to meet the 30-day review deadline, developers may engage third-party plans examiners to assess compliance with applicable water, electric, and natural gas infrastructure codes.

When third-party examiners are used, the measure mandates submission of examination fees, sealed and stamped plans, and sworn statements attesting to code compliance, along with project details and examiner credentials.

Inspections of installed infrastructure are required following third-party approvals, with inspection fees capped at two percent of the development's total cost.

The legislation obligates utilities to permit developers to use approved contractors of their choosing and to publish a publicly accessible list of approved contractors and the contractor approval process.

### **HR0135 | Honoring TVA**

*Sponsored by Vital, et al.*

Honors the Tennessee Valley Authority for its legacy of service to the people of Tennessee and the broader region.

### **SB380 | Continuing Education for Utility District Boards**

*Sponsored by Walley*

Creates a procedure for utility district commissioners who become ineligible for missing training requirements to petition for reinstatement and reduces continuing education hours.

The Tennessee Board of Utility Regulation may hold an informal hearing on the reinstatement petition and issue an order setting terms and conditions, including completion of twelve hours of training and continuing education within one year, according to the measure.

Commissioners must file a petition for reinstatement only after completing the term for which they failed to meet the required training and continuing education.

The required continuing education hours after initial training are reduced from twelve hours to six hours for both utility district commissioners and municipal utility system commissioners in each subsequent education period.

### **SB518 | Emergency Cash Flow for Utilities**

*Sponsored by Reeves*

Authorizes municipal, metropolitan government, and county-owned water or wastewater systems, municipal energy authorities, utility districts, water and wastewater treatment authorities, and regional water and wastewater treatment authorities to borrow money in anticipation of revenue collections and to issue negotiable notes to evidence such borrowing for providing emergency cash flow.

### **SB1138 | Utility Coverage**

*Sponsored by Taylor and Rose*

Prohibits a municipal sewer system or utility district that has operated a sewerage system outside of the corporate boundaries of the city or town for 25 years or more from ceasing operation of the sewerage system outside the corporate boundaries so long as the sewerage system maintains sufficient capacity.

It further requires a utility system that provides wastewater service to provide a connection to the owner of real property for wastewater service when the utility system meets certain requirements.

## **SB1281 | Interest Income Provisions**

*Sponsored by Johnson*

Requires that interest income accruing on investments and deposits as a result of the Megasite Authority of West Tennessee's collection of rates to customers of a water system or wastewater system operated by the authority be credited to a separate account and carried forward into each subsequent fiscal year.

## **Environmental Legislation**

### **Community & Environmental Health**

#### **HB175 | Unmanned Aircraft for Deer Recovery**

*Sponsored by Darby, Hale, and Crawford*

Authorizes the Fish and Wildlife Commission to promulgate rules or pass proclamations to authorize the use of drones to locate and retrieve deer that have been wounded by hunters.

#### **HJR0150 | Economic Study About the Effect of Bradford Pear Trees on Agriculture and Forestry**

*Sponsored by Doggett, Vital, Lamberth, and Todd*

Urges the University of Tennessee Institute of Agriculture to complete a comprehensive economic study about the effect of Bradford pear trees on agriculture and forestry in the state.

#### **SB670 | Compensatory Mitigation**

*Sponsored by Taylor and Hensley*

Requires the Division of Water Resources in the Department of Environment and Conservation, in collaboration with the U.S. Army Corps of Engineers, to annually report information concerning compensatory mitigation provisions in aquatic resource alteration permits issued during the prior fiscal year to the Governor, the Comptroller of the Treasury, and the chairpersons of the commerce committees.

#### **SB869 | Hunting with Bait**

*Sponsored by Hensley, Lowe, and Stevens*

Creates a bait privilege license to allow hunting or taking of whitetail deer using bait on privately owned or privately leased land.

### **Emergency Management & Homeland Security**

#### **HB1278 | Financial Assistance in Counties Impacted by Hurricane Helene**

*Sponsored by Hill, et al.*

Authorizes the ability to disburse the Hurricane Helene interest payment fund to pay local governments' loan charges.

#### **SB68 | Emergency Management Assistance Compact Extension**

*Sponsored by Jackson and Roberts*

Extends the Emergency Management Assistance Compact to June 30, 2033.

#### **SB915 | Borrow Pit Restrictions**

*Sponsored by Bailey, et al.*

Lifts certain restrictions on temporary borrow pits used to source material for a road work construction project performed in a FEMA-certified county under a contract for construction work entered into with the state that is part of a state or local Hurricane Helene recovery effort.

## **SB6003 | Disaster Relief Funds**

*Sponsored by Johnson, et al.*

Creates two funds within the Tennessee Department of Treasury to be known as the Hurricane Helene Interest Payment Fund and the Governor's Response and Recovery Fund and authorizes moneys in each fund to be used to assist with the response to and the recovery from Hurricane Helene and future declared emergencies.

## **SB6004 | TEMA Assistance**

*Sponsored by Johnson, et al.*

Authorizes the Tennessee Emergency Management Agency to assist a political subdivision or local emergency management agency with recovery from disasters and emergencies on public property at the request of the political subdivision or agency.

## **Emissions & Pollution**

### **SB51 | Air Pollution Control Board Extension**

*Sponsored by Jackson and Roberts*

Extends the Air Pollution Control Board to June 30, 2031.

### **SB880 | Numeric Guidance Prohibition**

*Sponsored by Reeves, Lowe, Walley, and Bowling*

Prohibits governmental agencies from adopting rules or establishing numeric criteria or numeric limitations applicable to contaminants, pollutants, hazardous substances, solid waste, or hazardous waste relating to drinking water, water pollution control, contaminated site remediation, air quality, or waste handling.

The legislation requires that any proposed numeric standards be supported by peer-reviewed scientific studies and relevant empirical data, and it mandates transparent public notice, comment periods, and administrative review for regulatory actions.

## **Inland Water Quality & Management**

### **HB894 | Board of Ground Water Management Modifications**

*Sponsored by Todd*

Vacates and reconstitutes the Board of Ground Water Management effective July 1, 2025.

### **SB411 | State Employee Classification**

*Sponsored by Bailey*

Classifies as state employees for purposes of defense and other related provisions, soil and water conservation district board of supervisors, employees, officers, and agents, and persons designated by a soil and water conservation district as participants in volunteer programs authorized by such districts.

## **Solid Waste**

### **HB1421 | Litter Abatement Requirements**

*Sponsored by Moody*

Establishes litter abatement and control requirements in Tipton County, subject to local approval.

Local officials may enact ordinances requiring property owners to remove or prevent accumulation of litter within defined time periods, and penalties may be imposed for failure to comply with abatement orders under county enforcement protocols.

**SB438 | Advisory Task Force on Solid Waste**

*Sponsored by Reeves, et al.*

Creates the Advisory Task Force on Solid Waste to examine and review issues related to solid waste.

It also authorizes the Department of Environment and Conservation to accept voluntary contributions and apply for grants from private companies for recycling infrastructure, recycling projects, and composting grants.

# TEXAS

**In Brief:** Texas lawmakers stitched together reliability-first grid governance, pro-nuclear workforce, and tougher oil-and-gas housekeeping in 2025. HB145 mandates utility risk-mitigation plans, SB75 creates a Grid Security Commission, and SB231 sets strict rules for temporary emergency generators; SB1963 and SB1856 add disaster securitization and a capacity rider. Hydrocarbon policy adds guardrails: HB49 expands beneficial-reuse liability protections, SB1150 deadlines long-inactive wells, SB1762 empowers orphan-well operators, and SB2122 adds disposal-permit fees alongside uranium process reforms in SB1061 and a mining-compact exit in SB1147. Nuclear readiness scales via HB14 and SB1535. Consumer-side measures broaden DER uptake and end-of-life rules: HB912 updates net metering outside ERCOT, HB431 protects solar tiles, SB1036 and SB1697 standardize sales and guidance, and HB3228, HB3229, HB3809 require recycling and financial assurance.

## Energy Legislation

### Critical Minerals & Rare Earth Elements

#### **SB1061 | Requirements for Uranium Mining Production Area Authorizations**

*Sponsored by Parker and Guillen*

Establishes procedural requirements for uranium mining production area authorization under the Water Code.

Districts seeking to construct or expand uranium recovery or mining facilities must comply with a defined application process prior to operation, according to the bill.

Details on timelines, required documentation, and stakeholder notification are added by the measure to ensure permit applications are complete and transparent.

#### **SB1147 | Withdrawal of the State from the Interstate Mining Compact**

*Sponsored by Birdwell, Dyson, Capriglione, and Darby*

Withdraws the State of Texas from the Interstate Mining Compact and abolishes the Office of the Interstate Mining Compact Commissioner for Texas and the Texas Mining Council.

### Cybersecurity & Digital Technology

#### **HB3112 | Public Information Exemption**

*Sponsored by Tepper, et al.*

Exempts governmental bodies from holding public meetings to deliberate cybersecurity measures, policies, or contracts intended solely to protect critical infrastructure facilities located within their jurisdiction.

The act grants an exception under the Public Information Act for information related to cybersecurity measures, insurance coverage limits and deductibles, incident reports, system configurations, or network schematics that, if disclosed, would risk compromising IT or operational technology resources.



## **Efficiency & Weatherization**

### **HB5323 | Texas Energy Waste Advisory Committee**

*Sponsored by King, et al.*

Creates the Texas Energy Waste Advisory Committee and assigns it with recommending coordination and improvements to state agency programs that reduce energy waste, increase energy efficiency, and enhance demand response to improve electric service reliability in the Electric Reliability Council of Texas power region.

### **SB1202 | Home Backup Power Installation**

*Sponsored by King and Dean*

Authorizes a person licensed to review development documents under existing law to perform third-party review of documents required for home backup power installations without submitting them to a regulatory authority.

## **Emergency Management & Homeland Security**

### **HB3010 | Rural Infrastructure Disaster Recovery Program**

*Sponsored by Ashby, et al.*

Establishes the Rural Infrastructure Disaster Recovery Program in order to provide financial assistance to rural communities in disaster areas for rebuilding and repairing critical infrastructure.

### **HB3595 | Assisted Living Facility Emergency Preparedness**

*Sponsored by Barry, et al.*

Adds an emergency preparedness and contingency operations plan requirement, including temperature regulation, for assisted living facility residents during an emergency.

The legislation requires an assisted living facility to adopt and implement an emergency preparedness and contingency operations plan that provides, in the event of a power outage, a climate-controlled area of refuge with at least 15 square feet per non-bedfast resident, a climate-controlled room for each bedfast resident, and notice to the Texas Health and Human Services Commission of any unplanned interruption or loss of electric utility service exceeding 12 hours.

The plan must include policies and information on building equipment, including the location and type of on-site generator equipment or backup power source, and on residents, including bedfast individuals and those dependent on electrically powered medical equipment.

Finally, the law requires the plan to maintain temperatures between 68 and 82 degrees Fahrenheit for all areas of refuge and climate-controlled rooms, and it authorizes the executive commissioner to adopt rules to enforce the plan requirements.

### **HB4341 | Critical Infrastructure Facility Emergency Response Maps**

*Sponsored by McLaughlin and King*

Adds requirements for emergency response mapping of critical infrastructure facilities and establishes a grant program to support those efforts.

### **SB75 | Grid Resilience**

*Sponsored by Hall, et al.*

Establishes the Texas Grid Security Commission to assess and enhance electric grid resilience.

The legislation creates a security commission housed within the Texas Division of Emergency Management to oversee threats to grid operations.

The commission is empowered to include representatives from utilities, state agencies, and experts on cybersecurity, micro-grids, electromagnetic pulse defense, and related infrastructure disciplines.

### **SB231 | Temporary Emergency Electric Energy Facilities**

*Sponsored by King, Alvarado, Bettencourt, and Guillen*

Establishes standards and oversight for temporary emergency electric energy facilities.

The measure mandates that facilities be isolated from the bulk power system and excluded from pricing and reliability models used in independent system operators, and it further requires mobility within twelve hours, generation startup within three hours of connection to a demand source, and a maximum capacity of five megawatts.

The law further requires utilities to use a competitive bidding process when leasing such facilities.

It also prohibits entering into a lease unless the Public Utility Commission approves the arrangement through a rate proceeding or a separate contested case.

The commission is required to review rates and returns for utilities that leased facilities before the bill's effective date and did not deploy them during significant power disruptions in 2024, and it empowers the agency to adjust the rate of return or order refunds if recovery of costs is deemed imprudent or unreasonable.

### **SB1759 | Oil or Gas Emergency Liability**

*Sponsored by Birdwell, Dyson, and Darby*

Grants authority to the Railroad Commission to declare an oil or gas emergency and limits liability for persons who provide assistance, advice, or resources in relation to such an emergency.

Persons acting without gross negligence or intentional misconduct are protected from civil liability under the legislation.

The measure authorizes initial emergency declarations for up to 30 days with the possibility of extensions as needed.

### **HB145 | Electric Service Risk Mitigation Planning**

*Sponsored by King, Lopez, and Schwertner*

Requires each provider of electric service to develop and maintain a risk mitigation plan addressing catastrophic weather, cybersecurity threats, and fuel supply disruptions.

The measure authorizes the commission to audit plan compliance and to assess administrative penalties for failure to maintain an approved plan, and it directs providers to update the plan annually and submit it to the Public Utility Commission for review.

## **Fossil Energy**

### **HB49 | Oil and Gas Waste Liability Protections**

*Sponsored by Darby, et al.*

Amends existing law to extend liability protections to persons who produce, treat, or convey fluid oil and gas waste for beneficial use.

The law protects oil and gas producers, surface estate owners, treatment facilities, and third parties that transfer waste to treatment facilities from tort liability for harm arising from treatment, subsequent use, or exposure to treated waste or byproducts.

The measure narrows the exception to the liability protection so that an indemnified party may be liable only for gross negligence, intentional wrongdoing, or failure to comply with relevant administrative rules.

Finally, the bill prohibits the award of exemplary damages in tort claims premised solely on negligence and regulatory nonconformity.

#### **HB143 | Addressing Operator Failure**

*Sponsored by King, et al.*

Grants the Railroad Commission and the Public Utility Commission authority to address operator failures to maintain electrical power lines serving oil and gas well sites in compliance with the National Electrical Code.

The measure requires the agencies to adopt enforcement rules, including notices of violation, correction orders, and administrative penalties for noncompliance.

#### **HB1109 | Motor Fuel Tax Exemptions**

*Sponsored by Vandeaver, et al.*

Authorizes the comptroller to refund or exempt motor fuel taxes for county purchases meant for the exclusive use of the county.

#### **HB2663 | Operator Affirmation Requirements**

*Sponsored by Darby, et al.*

Establishes affirmation requirements for operators applying to the Railroad Commission for an extension of the deadline to plug an inactive well.

Operators must submit a sworn affirmation detailing compliance history, well condition, and reasons for the requested extension, and the bill authorizes the commission to impose an administrative penalty on operators who knowingly submit false or misleading affirmations.

#### **HB2890 | Interstate Compact for Liquefied Natural Gas Industry**

*Sponsored by Patterson, et al.*

Establishes an interstate compact for the liquefied natural gas industry among states bordering the Gulf of America.

The act authorizes the Governor to develop and execute the compact on behalf of this state.

It specifies that congressional approval is not required and prohibits the compact from increasing the political power of the compacting states relative to the federal government.

The compact is required to include joint actions among member states for sharing information, resources, and services to protect and grow the industry and to improve coordination and efficiency of the liquefied natural gas industry along the Gulf Coast.

#### **HB3159 | Severance Tax Exemption for Oil and Gas**

*Sponsored by Darby and King*

Utilizes existing law to enable exemption of severance taxes on oil and gas produced from qualifying wells that were previously inactive and have undergone restimulation treatment.

The bill limits the exemption to the earlier of 36 consecutive months from first post-treatment production or when exempted taxes equal either the restimulation costs or \$750,000.

#### **HB4042 | Pipeline Safety Provisions and Regulatory Fees**

*Sponsored by Morales and Zaffirini*

Extends safety and regulatory fee provisions to cover gas distribution pipelines.

The legislation amends existing law to allow the Railroad Commission of Texas, by rule, to assess an annual gas pipeline safety fee of \$1 per service line.

It applies these safety provisions and regulatory fee structures that previously applied to natural gas to now also include gas distribution pipelines.

#### **HB4690 | Motor Fuel Measuring, Quality, and Testing Standards**

*Sponsored by Gerdes and Blanco*

Requires motor fuel sold in the state to meet the most recently adopted, nationally recognized ASTM International petroleum standards, with separate specifications for gasoline and gasoline-ethanol blends.

The measure authorizes exceptions to the quality standards to account for seasonal volatility variations, vapor pressure tolerances for ethanol blends, and fuel distribution during specified transition periods.

#### **SB494 | Theft of Petroleum Products Task Force**

*Sponsored by Sparks, et al.*

Establishes a task force to study and make recommendations related to preventing the theft of petroleum products in this state.

Membership includes at least one representative from the oil and gas industry, one from an energy trade association, and members of local, state, and federal law enforcement agencies. A presiding officer must be designated by the Railroad Commission of Texas to lead the task force. Task force meetings are required at least quarterly and may be conducted virtually through the Internet.

Ongoing duties involve reviewing laws and regulations from other jurisdictions, analyzing the impact of petroleum product theft on sales tax and the long-term economy, and evaluating strategies to reduce theft.

Task force recommendations must address outreach and prevention programs, stakeholder coordination among industry and law enforcement, and training for officers and prosecutors, according to the measure.

#### **SB612 | Relating to the authority of certain conservation and reclamation districts to impose fees for the construction of certain pipelines and associated infrastructure.**

*Sponsored by Hinojosa and Martinez*

Establishes authority for eligible conservation and reclamation districts to impose fees on the construction of pipelines and associated infrastructure located within their boundaries.

Under the measure fees must reflect actual, reasonable, and documented costs incurred by the district in connection with pipeline development.

Where engineering or construction standards are applied, the bill prohibits districts from imposing charges that exceed the directly incurred costs necessary to apply those standards.

### **SB771 | Refund for Diesel Fuel Taxes**

*Sponsored by Hinojosa and Ashby*

Establishes a refundable credit or refund for diesel fuel taxes paid on diesel fuel consumed by auxiliary power units and power take-off equipment.

The measure requires taxpayers to apply to the comptroller for the credit or refund and to maintain documentation substantiating the qualifying fuel use.

### **SB1145 | Permits for the Land Application of Produced Water**

*Sponsored by Birdwell, et al.*

Authorizes the Texas Commission on Environmental Quality to issue permits for the land application of water produced from certain mining, oil, and gas extraction operations.

The legislation requires the commission to adopt standards for land application of treated produced water that prevent pollution of surface and subsurface water.

### **SB1146 | Well Plugging Operators**

*Sponsored by Birdwell, et al.*

Authorizes operators in good standing, mineral estate owners, and surface estate owners to contract with commission-approved well pluggers for the plugging or replugging of orphaned wells under Railroad Commission jurisdiction.

### **SB1150 | Inactive Wells Deadlines**

*Sponsored by Middleton, et al.*

Limits plugging extensions for long-inactive oil, gas, and injection wells under Railroad Commission oversight.

Operators of wells inactive for more than fifteen years and completed over twenty-five years prior must now either plug or reactivate the well by a deadline set by law.

Extensions may be granted only when operators demonstrate a consistent record of reactivating wells, attest to financial hardship, submit a compliant plan approved by the Railroad Commission targeting plugging or reactivation by September 1, 2042, or post an individual performance bond covering full plugging cost that remains with the well regardless of ownership changes.

### **SB1762 | Operator Designation**

*Sponsored by Blanco and Darby*

Allows the Railroad Commission to designate a qualified person as operator of an orphaned oil or gas well when the original operator cannot be located or held responsible.

That designee must demonstrate technical competence, financial ability to plug and abandon the well, and compliance with all applicable rules, according to the legislation.

The measure requires posting of a bond or other financial assurance by the designated operator to cover full plugging, abandonment, and site remediation costs.

It also authorizes the commission to recover any costs exceeding the bond from the original operator if located later, while protecting new operators from liability for unrelated wells.

### **SB1806 | Improper Inspection Penalties**

*Sponsored by Sparks, Craddick, and Darby*

Creates criminal offenses for improper inspection, purchase, sale, possession, storage, transportation, or disposal of petroleum products, oil and gas equipment, and oil and gas waste, and increases the punishment for an existing criminal offense.

The measure mandates inspection requirements for petroleum products, oil and gas equipment, and related waste, assigning criminal penalties for noncompliance.

It also prohibits unauthorized purchase, sale, or possession of designated petroleum materials and equipment, defining those acts as offenses.

The law requires proper storage, transportation, and disposal practices for oil and gas waste, and it establishes penalties for violations.

### **SB2037 | Liquefied Natural Gas Export Terminal Permitting**

*Sponsored by Sparks, et al.*

Authorizes expedited review and fee assessment for liquefied natural gas (LNG) export terminal permits.

The legislation directs the Public Utility Commission to establish an expedited review process for permit applications to construct or modify LNG export terminals, and it requires applicants opting into the expedited process to pay an additional fee set by rule to cover review costs.

### **SB2122 | Permit Application Fees**

*Sponsored by Zaffirini, Darby, and Morales*

Imposes application fees for certain permits and permit amendments for the disposal of oil and gas waste.

Applicants for fluid injection well permits must submit a nonrefundable fee of \$200. Land application, landfarm, and landtreatment permits are likewise subject to the fee requirement.

The legislation requires fee payment with each initial application and with any amendments to covered permits. Revenue from the fees is deposited to the oil and gas regulation account under the Natural Resources Code.

## **Nuclear Energy**

### **HB14 | Supporting the Nuclear Energy Industry**

*Sponsored by Harris, et al.*

Directs multiple state agencies to create programs and incentives for advanced nuclear research, workforce training, and technology deployment.

The measure requires the Texas Workforce Commission and higher education coordinating bodies to collaborate on certificate and degree pathways aligned with nuclear industry needs.

It also authorizes grant awards to academic institutions and public-private partnerships for nuclear engineering curricula, reactor demonstration projects, and regulatory process improvements.

### **SB1535 | Advanced Nuclear Energy Workforce Development Program**

*Sponsored by Zaffirini, Parker, and Button*

Establishes an advanced nuclear energy workforce development program.



The bill amends existing law to direct the Texas Workforce Commission, in collaboration with the Texas Education Agency and the Higher Education Coordinating Board and in consultation with the Public Utility Commission, to establish the program by rule.

The Texas Workforce Commission must develop a strategic plan to address labor supply gaps in the advanced nuclear energy industry and to support public-private partnerships that fund education pathways, outreach, research, and leadership development.

## **Renewable Energy**

### **HB431 | Regulating Solar Roof Tiles**

*Sponsored by Cortez, et al.*

Defines “solar energy device” to include solar roof tiles for purposes of property owners association regulation.

According to the act, property owners associations must recognize solar roof tiles as solar energy devices and comply with restrictions prohibiting covenants that unreasonably limit their installation.

### **HB912 | Distributed Renewable Generation Owner Compensation**

*Sponsored by Moody and Blanco*

Amends provisions relating to the compensation of distributed renewable generation owners in certain areas outside of Electric Reliability Council of Texas (ERCOT).

The law provides that, unless the Public Utility Commission approves an alternative compensation method, a distributed renewable generation owner interconnecting through a single meter may offset the electricity the owner generates against consumption for the billing period and carry forward any excess generation credits.

The commission is required to obligate the electric utility to conduct and submit a comprehensive cost-benefit analysis using established best practices to justify compensation rates and any associated fees before approving any alternative compensation method.

Finally, the legislation directs the commission to consider the comprehensive cost-benefit analysis when determining alternative rates or fees for compensating distributed renewable generation owners or deciding whether to continue net metering, ensuring compensation reflects the value provided by the generation or qualifying facility.

### **HB3228 | Wind or Solar Facilities Lease Agreements**

*Sponsored by Lambert, et al.*

Requires lease agreements to include recycling, disposal, and financial assurance provisions for renewable energy facilities.

The act amends existing law to define “recycle” and require that lease agreements for new wind or solar projects obligate the grantee to collect and reuse or recycle all components practicably capable of reuse, including turbine blades and photovoltaic modules.

The measure mandates that non-recyclable components be disposed of at authorized hazardous waste or municipal solid waste facilities depending on classification. It further requires delivery of financial assurance by grantees to landowners, with guaranteed coverage accounting for restoration costs minus salvage value and adjusted over time based on independent professional engineering estimates.

## **HB3229 | Recycling Renewable Energy Components**

*Sponsored by Lambert, et al.*

Defines requirements for recycling certain renewable energy components and authorizes an administrative penalty.

Owners or operators of facilities that accept, process, and repurpose wind turbine blades, solar energy devices, battery storage modules, and related components must submit annual reports to the Texas Commission on Environmental Quality by January fifteenth detailing inventories of unrecycled materials, projected recycling timelines, and independent cost estimates.

Financial assurance obligations are established at 125 percent of the estimated recycling and disposal costs to ensure completion of required activities.

Under the law, a publicly accessible listing of compliant recycling facilities must be maintained by the commission, and anyone recycling renewable energy components must contract with an entity on that list.

## **HB4413 | Mass Balance Attribution of Renewable Biomass Feedstocks**

*Sponsored by Paul, Leo-Wilson, and Hancock*

Authorizes the Texas Commission on Environmental Quality to identify by rule third-party certification systems for verifying mass balance attribution of renewable chemicals.

The act defines “renewable biomass” to include materials such as forest byproducts, pre-commercial thinnings, invasive species, agricultural residues, algae, microorganisms, municipal solid waste, food and yard waste, plant-derived oils, animal byproducts, and wastewater-derived materials.

It further defines “renewable chemical” to mean a monomer, polymer, plastic, formulated product, or chemical substance that is produced from renewable biomass or is certified under a third-party mass balance attribution system recognized by the commission.

## **SB1036 | Regulating Residential Solar Retail Transactions**

*Sponsored by Zaffirini, et al.*

Imposes licensing and regulatory oversight on residential solar energy sales and installations.

The law introduces a new occupational registration requirement that covers solar retailers and sales personnel. The measure also mandates liability insurance for solar installers and mandates distribution of a state-authored consumer guide explaining common pitfalls.

Regulatory authority includes standardizing sales contracts and disclosures, prohibiting misrepresentation of utility affiliation, and allowing cancellation of contracts within five business days.

Licenses are granted and enforced by the Texas Department of Licensing and Regulation, which may assess fees and impose civil penalties of up to \$2,500 per violation or up to \$50,000 for repeat offenses. Enhanced fines (up to \$10,000 per offense and \$100,000 for repeat violations) apply when victims are aged 65 or older.

## **SB1697 | Solar Energy Customer Guide**

*Sponsored by Zaffirini, Blanco, Menendez, and Vandaveaver*

Establishes a customer guide to home solar energy devices.

The measure requires the Public Utility Commission of Texas to develop and periodically update a guide providing customers with basic information, best practices, guidelines, and resources to consider when deciding whether to install a solar energy device for a home.

**Each electric utility, electric cooperative, municipally owned utility, and retail electric provider must include a link to the guide on its website and provide information about accessing the guide with each customer bill for at least 12 months after publication of each version.**

The law further specifies that the guide must offer suggested questions for customers to ask their service provider about net metering or buyback programs, rebate or incentive availability, and the scope of services related to home solar energy devices.

Finally, the measure directs the guide to address design considerations for maximizing system efficiency, including roof condition, direction, orientation, tilt, and shade analysis.

## **Utilities**

### **HB29 | Water Loss Reporting**

*Sponsored by Gerdes, et al.*

Authorizes administrative penalties for water loss reporting violations by municipally owned utilities.

Municipally owned utilities must submit water loss reports to the Texas Water Development Board under the requirements of the measure. Penalties may be assessed for late or inaccurate submissions.

### **HB144 | Management and Inspection of Distribution Poles**

*Sponsored by King, Schwertner, and Cook*

**Mandates that electric utilities develop and maintain written plans for inspecting, testing, and replacing distribution poles.**

The measure directs utilities to file their plans with the Public Utility Commission for approval and to report annually on inspection outcomes, and it specifies that plans must include inspection frequency, performance metrics, and criteria for pole removal or reinforcement.

### **HB1318 | Certificate of Public Convenience and Necessity for Water or Sewer Service**

*Sponsored by Guillen and Flores*

**Grants municipalities revised authority to provide water or sewer service in newly annexed or incorporated areas.**

The legislation removes the Public Utility Commission's prior power to adjudicate whether property of an existing utility is valueless due to service expansion.

The measure shifts responsibility for determining just compensation and transferring property title to a court judgment rather than a commission determination.

### **HB1584 | Critical Infrastructure Identification**

*Sponsored by Hull, et al.*

**Creates a statutory framework requiring electric utilities to identify critical infrastructure in their service areas.**

The legislation requires each electric utility to maintain a current list of "priority facilities" defined to include hospitals, police stations, fire stations, critical water and wastewater facilities, and other sites deemed essential to public safety.

The Public Utility Commission is directed to adopt rulemaking criteria determining what qualifies as such priority infrastructure.

Utilities are obligated to host a public mechanism on their websites allowing facilities to request inclusion in the priority list and to respond within fourteen days as to whether the request is accepted.

The legislation further mandates that during a governor-declared natural disaster or emergency, each utility must provide its list of priority facilities to local emergency management agencies, and it ensures that those submissions remain confidential and exempt from public disclosure requirements.

### **HB1606 | Vegetation Management Near Transmission or Distribution Lines**

*Sponsored by Metcalf, Johnson, Howard, and Zaffirini*

Adds a requirement that electric utilities, electric cooperatives, and municipally owned utilities periodically include with customer billing statements information on how to request vegetation management around transmission or distribution lines.

This requirement applies in addition to existing notice obligations concerning load shedding, critical customer classifications, and energy conservation protocols.

### **HB1991 | Utility Transparency**

*Sponsored by Guillen, Morales, and Gutierrez*

Adds transparency requirements for municipally owned utility system service charges.

The legislation mandates that a municipality imposing operating, maintenance, replacement, or improvement charges under existing law must publish the terms and conditions of those charges on both the utility system's website and the municipality's website.

The law requires the municipality to update those online postings within thirty days whenever the terms or conditions of the charges are changed.

### **HB3092 | Transmission Line Construction**

*Sponsored by Gerdes, et al.*

Authorizes small electric transmission lines to proceed without a certificate amendment.

The legislation amends existing law to allow an electric utility to construct a transmission line without modifying the utility's certificate of public convenience and necessity when the line connects the utility's existing facilities to a substation or metering point and does not exceed five miles for load-serving substations or two miles for generation substations.

A written consent requirement ensures that each property owner whose land is directly affected by the line signs off before construction can begin.

### **HB3809 | Battery Energy Storage Facility Requirements**

*Sponsored by Darby, et al.*

Defines requirements for battery energy storage facility agreements regarding the removal of facilities and the establishment of financial assurance obligations.

The measure mandates that agreements require grantees to clear, clean, and remove each battery energy storage resource, transformer, substation, foundation, buried cable, and overhead line from the property to specified depths and to fill any cavities with soil matching the predominant type.

Further, it requires provisions for collecting and recycling or properly disposing of all reusable components, for landowner-requested removal of roads and rocks excavated during decommissioning, and for returning the site to a tillable or preinstallation condition, including soil fill and reseeding with native grasses.

Grantees are obligated to obtain and deliver evidence of financial assurance in forms such as parent company guaranty, letter of credit, or bond and to secure independent, third-party estimates of removal, recycling, disposal costs, and salvage value on a defined schedule.

#### **HB4370 | Geothermal Water and Affordable Housing Projects**

*Sponsored by Metcalf, et al.*

Expands the types of projects that may be undertaken by certain districts to include geothermal water conveyance and affordable housing.

The bill revises existing law to permit an improvement district to pay expenses related to the operation and maintenance of geothermal water conveyance facilities.

The law amends assessment provisions to include geothermal water conveyance facilities among the utility and infrastructure projects a district may finance and maintain.

Water control and improvement districts are authorized to purchase, construct, own, and operate geothermal water conveyance systems, and to finance those systems with bonds secured by ad valorem taxes or other revenues, subject to voter approval.

#### **HB4384 | Gas Utility Cost Recovery**

*Sponsored by Darby and Birdwell*

Permits gas utilities to include costs of newly placed plant, facilities, or equipment in customer rates without waiting for a full rate case.

The legislation directs the Public Utility Commission to adopt rules specifying eligible cost categories, prudence review standards, and refund mechanisms if costs are later deemed imprudent.

The law applies only to investments placed in service on or after the bill's effective date and requires utilities to file cost-recovery notices with supporting documentation.

#### **HB4668 | PUC Representation**

*Sponsored by King, Lalani, Paul, and Schwertner*

Allows the Public Utility Commission to retain any consultant, accountant, auditor, engineer, or attorney it considers necessary to represent the commission in a proceeding before a regional transmission organization or in a court reviewing such proceedings.

The measure specifies that retained assistance may relate to the relationship of an electric utility to a power region, regional transmission organization, or independent system operator; the approval of coordination agreements between an electric utility and its affiliates; or other matters that may affect retail customer rates.

The legislation requires the electric utility to, subject to a proceeding, pay the reasonable costs of retained assistance, as determined by the commission, not to exceed \$1.5 million in a 12-month period. It also permits utilities to recover both the total costs paid and carrying charges through a rider approved by the commission with annual review.

## **HB5247 | Alternative Capital Recovery Process Utilities**

*Sponsored by Geren and Schwertner*

Authorizes an electric utility operating solely within the Electric Reliability Council of Texas and identified by the Public Utility Commission (PUC) as responsible for transmission construction in a PUC-approved Permian Basin reliability plan to elect a single capital investment procedure.

The act provides that a utility that opts for the alternative process may request an annual systemwide proceeding to adjust nonfuel rates to reflect changes in transmission and distribution invested capital.

## **SB6 | Utility Planning**

*Sponsored by King, et al.*

Mandates planning and cost-sharing protocols for large electrical loads and permits certain water or sewer corporations to generate electric power.

New rules authorize the Public Utility Commission (PUC) of Texas to require that large load customers contribute to interconnection and transmission costs. Interconnections must follow uniform standards promoting business development while limiting stranded infrastructure and preserving grid reliability.

Operators located within electric cooperatives or municipally owned utilities without customer choice must also pass through reasonable interconnection costs to large loads.

A large load customer is required to disclose if pursuing similar interconnection elsewhere in Texas that could affect projections or timing of their request.

Sites with on-site backup generation supplying at least 50 percent of demand must report those capabilities, and during emergencies the Electric Reliability Council of Texas (ERCOT) may direct deployment of backup power or mandate load curtailment.

The legislation creates requirements for co-location arrangements where a new large load shares infrastructure with existing generation. Such proposed net-metering setups must be submitted to ERCOT, undergo impact studies, and receive approval from the commission within defined timelines.

A planned reliability service will be established, allowing ERCOT to competitively procure demand reductions from large loads during emergencies. Those customers must also be equipped for remote disconnection during grid stress events.

The bill directs the PUC to evaluate whether the existing “four coincident peak” method for allocating transmission costs remains appropriate and whether changes are needed to improve cost fairness and transparency. The evaluation must begin by September 2025.

Finally, expanded authority under the law also permits certain small water supply or sewer service corporations in counties with fewer than 350,000 residents to generate electricity and sell excess power into ERCOT.

## **SB482 | Protecting Utility Employees**

*Sponsored by Alvarado, et al.*

Enhances criminal penalties for assault, harassment, and interference with duties committed against utility employees.

The legislation increases the severity of punishment when an assault or harassment offense targets a utility worker performing official duties within a declared disaster zone or evacuated area.



The measure elevates assault under those circumstances to a felony of the third degree and designates harassment as a Class A misdemeanor, and it extends that protection to utility agents as well as employees active during disaster response operations.

#### **SB565 | Compliance Agreements with a Certain Utilities**

*Sponsored by Perry, Blanco, and Harris*

Allows suspension of enforcement actions via compliance agreements for regional service integration.

The legislation authorizes the Texas Commission on Environmental Quality to enter into compliant agreements with regional water, sewer, wastewater treatment, or solid waste disposal services that are integrating other service areas.

It enables suspension of enforcement actions for existing or anticipated violations arising during integration.

#### **SB740 | Public Utility Commission Rate-making Tools**

*Sponsored by Perry, Eckhardt, West, and Spiller*

Empowers the Public Utility Commission with new tools for water and sewer utility rate-making and acquisitions.

The act allows the commission to adopt alternative rate methodologies, including system improvement charges, to support timely cost recovery and ensure service quality.

A rulemaking process is included to define completeness criteria and establish a standard application form for such charges. A deadline-driven framework requires the commission to issue final orders within sixty days of a complete application, subject to a possible fifteen-day extension for good cause.

Expedited sale, merger, and transfer procedures are added by the measure for entities in receivership, supervision, or temporary management. Those procedures apply to municipally owned utilities, public utility agencies, counties, and water supply corporations seeking control.

All required public notice requirements are waived under the new process.

#### **SB790 | Complaint Resolution**

*Sponsored by Alvarado, Bettencourt, Zaffirini, and Guillen*

Proposes a simplified complaint resolution process for tenant disputes over water or wastewater billing.

Under this bill, customers living in rental units or manufactured home communities may bring service charge disputes before the Public Utility Commission using a streamlined procedure.

Private landowners who submeter or bill tenants for water or wastewater are covered under the simplified process.

#### **SB1243 | Public Utility Dissolution**

*Sponsored by Birdwell and Slawson*

Allows public entities to dissolve a public utility agency by joint action.

The legislation authorizes participating public entities in a public utility agency to adopt concurrent ordinances to either add or remove members or dissolve the agency entirely. If dissolution occurs the remaining entities receive transfer of all associated obligations, assets, permits, and licenses. A public entity that becomes the sole remaining participant may dissolve the agency independently through ordinance.

## **SB1252 | Regulating Residential Energy Backup Systems**

*Sponsored by Schwertner and King*

Defines municipal authority over residential energy backup systems and clarifies regulatory boundaries.

The legislation defines “residential energy backup system” as a system installed at a residence capable of providing up to 50 kilowatts of electricity or storing up to 100 kilowatt-hours.

Municipalities are prohibited from adopting or enforcing ordinances, rules, or amendments to the National Electrical Code that regulate the installation or inspection of such systems.

The bill further clarifies that municipally owned utilities retain authority to regulate installation and inspection within their utility service areas.

## **SB1468 | Utilities on University Property**

*Sponsored by Schwertner, et al.*

Authorizes the Board of Regents of The Texas A&M University System to construct, acquire, improve, extend, and equip utility systems located on university system property.

The legislation defines “power plants” to include electrical generating facilities and clarifies that “steam plants” encompass both steam and power-producing units.

It expands the board’s authority beyond improving and equipping existing central power plants to permit construction and acquisition of power plants and related additions on property in Brazos County.

The law also authorizes the board to construct, extend, and improve water and sewer systems for all institutions under its control. It empowers the board to provide water, sewer, steam, power, or electricity from its utility facilities to campus buildings and to allocate service costs as part of building maintenance and operation expenses.

## **SB1566 | Utilities Under Extraterritorial Jurisdiction**

*Sponsored by Bettencourt and Darby*

Amends existing law to allow entities holding certificates of convenience and necessity to serve property that was removed from a municipality’s extraterritorial jurisdiction under prior procedures, even without a platting certificate.

## **SB1664 | Rate Change Notices**

*Sponsored by Schwertner and Hull*

Requires transmission and distribution utilities to submit, together with any rate change filing, a stand-alone document outlining the specific rate adjustment for each customer class, the period the change covers, projected revenue from the change over four years (or the change duration), current and estimated delivery charges for an average residential customer, and the difference between the two.

## **SB1789 | Electric Service Quality and Reliability**

*Sponsored by Schwertner, McQueeney, Hayes, and Richardson*

Empowers the Public Utility Commission to establish rules requiring electric utilities, including municipally owned and cooperative systems, to inspect, maintain, remediate, and replace transmission and distribution poles based on geographic, weather, and national safety criteria.

The act requires each utility to submit annual reports on pole inspection and maintenance efforts and permits the commission to impose penalties for noncompliance.

It also penalizes utilities that fail to anticipate weather-related damage: the commission may reduce an electric utility's authorized return on equity for infrastructure repairs that could reasonably have been foreseen.

#### **SB1856 | Capacity Cost Recovery Rider**

*Sponsored by Creighton and Metcalf*

**Empowers the Public Utility Commission to approve a rider allowing eligible electric utilities to recover costs associated with maintaining sufficient generation capacity.**

The act applies to utilities in competitive and regulated markets that meet defined peak load and reserve margin criteria. It further requires utilities to demonstrate projected capacity needs and cost prudence before the rider's inclusion in customer rates.

#### **SB1877 | Office of Public Utility Counsel Data Access**

*Sponsored by Schwertner, Kolkhorst, and Barry*

**Amends the Utilities Code to expand the Office of Public Utility Counsel's authority to access utility data.**

The bill entitles the office to the same access as a party to records gathered by the commission and to request and receive electricity market data on market reliability, generation resource adequacy, long-term transmission planning, and transmission system resiliency.

#### **SB1963 | Natural Disaster Cost Recovery**

*Sponsored by Creighton and Metcalf*

**Authorizes a financing mechanism allowing electric utilities to obtain recovery of costs associated with weather-related events or other natural disasters through securitization and the issuance of transition bonds or system restoration bonds.**

The measure establishes the mechanism as a lower-cost, supplemental financing option under which utilities may securitize system restoration costs through an issuer other than the utility or an affiliated special purpose entity.

It also empowers the Public Utility Commission to approve customer charges necessary to repay bonds issued under this mechanism and directs that bond proceeds be deposited into a dedicated interest and sinking fund to ensure timely recovery of system restoration costs. Customer charges approved for bond repayment must be collected in a transparent, nondiscriminatory manner, according to the act.

#### **SB2148 | Electricity Supply Chain Reliability**

*Sponsored by Hall, Creighton, West, and Slawson*

**Authorizes the Public Utility Commission to require transmission and distribution utilities to identify critical grid equipment, assess supply chain vulnerabilities, and develop mitigation plans.**

The act directs utilities to maintain minimum on-hand inventories of specified spare parts and to report inventory levels, procurement actions, and supply disruptions annually.

The commission is empowered to adopt rules for crisis procurement protocols, including alternative sourcing and expedited approval processes during grid emergencies.

#### **SB2268 | Texas Energy Fund Loans and Grants**

*Sponsored by Schwertner, Blanco, and Hunter*

**Allows an extension of the deadline for public utility loans under the Texas Energy Fund.**

The legislation authorizes the Public Utility Commission to disburse initial loan funds after December 31, 2025, if market factors necessitate an extension.

The measure ensures that an applicant may request disbursement beyond the deadline and that the commission must approve or deny each request on a case-by-case basis.

### **SB2368 | Critical Infrastructure Protections and Penalties**

*Sponsored by Campbell, et al.*

Authorizes the Public Utility Commission of Texas to impose increased administrative penalties and expands enforcement authority concerning critical electric grid infrastructure and market participant affiliations.

The measure authorizes the Public Utility Commission of Texas to impose an administrative penalty of up to \$1 million for each violation in which a business entity grants unauthorized access to or control of critical electric grid equipment or infrastructure.

The maximum penalty is increased to \$1 million for each violation in which a market participant submits false or incomplete information to the independent organization certified for the Electric Reliability Council of Texas power region.

The law requires independent organizations certified under existing law to collect attestations and reports from business entities that purchase critical electric grid equipment or services from covered companies.

## **Environmental Legislation**

### **Coastal Zone Management**

#### **HB1089 | Gulf Coast Protection Account**

*Sponsored by Paul, et al.*

Creates the Gulf Coast Protection Account to be administered by the General Land Office.

Funds may be used only to pay for expenditures necessary to fulfill nonfederal sponsor obligations under agreements with the U.S. Army Corps of Engineers for projects recommended by the Coastal Texas Protection and Restoration Feasibility Study. Expenditures must comply with local cooperation agreements executed by the General Land Office and the Gulf Coast Protection District.

Eligible projects include those necessary or useful for protecting the portion of the Gulf Coast within the district's territory or those designated as Coastal Storm Risk Management Projects that benefit the district.

#### **SB1930 | Proceeds from the Sale of Saltwater Fishing Stamps**

*Sponsored by Hinojosa, Flores, and Metcalf*

Establishes restrictions on the use of proceeds from the sale of saltwater fishing stamps issued by the Parks and Wildlife Department.

The measure mandates that all revenues generated from saltwater fishing stamp sales be allocated exclusively to coastal fisheries management, restoration, and habitat enhancement.

## **Community & Environmental Health**

### **SB1215 | Cultivated Oyster Placement**

*Sponsored by Kolkhorst, Flores, and Villalobos*

Authorizes placement of cultivated oysters in natural oyster beds, private oyster beds, or coastal waters with written permission from the Texas Parks and Wildlife Department.

The measure requires the department to adopt best management practices for authorizing the placement of cultivated oysters.

### **HB3479 | Rio Grande Vegetative Management Program**

*Sponsored by Morgan, et al.*

Revises the scope of border security vegetation control along the Rio Grande River.

The legislation replaces the requirement for the Texas State Soil and Water Conservation Board to eradicate Carrizo cane with a broader mandate.

It now requires the Board to develop and implement a Rio Grande vegetative management program focused on controlling, rather than eradicating, Carrizo cane and other noxious vegetation that impedes border security along the river.

## **Emergency Management & Homeland Security**

### **HB2213 | Texas Windstorm Insurance Association Composition**

*Sponsored by Johnson, et al.*

Defines new geographic eligibility criteria for the Texas Windstorm Insurance Association board.

The legislation amends existing law to require that three board members reside outside a catastrophe area rather than more than 100 miles from the Texas coastline.

It further clarifies that at least one board member from coastal counties must be a licensed property and casualty agent actively offering or selling windstorm and hail insurance and not be a captive agent.

### **HB2518 | Installment Payment Plans on Texas Windstorm Insurance Association Policies**

*Sponsored by Barry, et al.*

Prohibits premium financing arrangements for Texas Windstorm Insurance Association policies.

### **HB3824 | Fire Safety Standards for Battery Energy Storage Facilities**

*Sponsored by King, et al.*

Requires each battery operator or municipally owned utility to ensure that storage equipment complies with adopted fire safety standards at the time of interconnection.

The act preempts local ordinances by prohibiting municipalities or counties from enforcing rules that conflict with state fire safety requirements, and it mandates independent third-party engineering evaluations before commercial operations and at least once every three years, covering site layout, hazard mitigation, alarm activation, and fire protection systems.

### **SB34 | Firefighter Assistance Fund**

*Sponsored by Sparks, et al.*

Authorizes the allocation of at least ten percent of appropriations for the volunteer firefighter assistance fund to fire departments in areas identified as high risk for large wildfires.

The measure requires the Texas A&M Forest Service to create and maintain a comprehensive, real-time database of statewide firefighting equipment that is accessible to and updated annually by all fire departments.

## **Emissions & Pollution**

### **HB5033 | Motor Vehicle Emissions Inspection and Maintenance Program**

*Sponsored by Bell, et al.*

Allows for the Texas Commission on Environmental Quality to develop and enforce a motor vehicle emissions inspection and maintenance program.

### **SB763 | Concrete Plant Permitting**

*Sponsored by Alvarado, et al.*

Requires periodic review and updates of air quality permits for certain concrete plants and facilities performing wet batching, dry batching, or central mixing.

Under the legislation a standard permit held by permanent concrete batch plants must undergo a protectiveness review at least once every six years, replacing the prior ten-year cycle.

Applications for standard permits, such as permanent, temporary, or specialty batch plants, are enhanced to include detailed plot plans. Those plans must identify property lines, emission sources, structures, equipment, and confirm required setbacks or distances.

If a review leads the Texas Commission on Environmental Quality to amend an existing permit, facilities are granted a transition period to comply with the new conditions before enforcement begins.

### **HB2440 | Motor Vehicle Restrictions**

*Sponsored by Curry, Toth, Parker, and Middleton*

Prohibits state agencies and the state air quality implementation plan from restricting motor vehicle sale, use, or ownership based on energy source.

The legislation prohibits any state agency from banning or limiting the sale or use of a motor vehicle because of its energy source or prohibiting ownership of vehicles powered by internal combustion engines.

It further bars inclusion in the state's air quality implementation plan of provisions that prevent anyone from purchasing motor vehicles based on their energy source, including those powered by internal combustion engines.

## **Hazardous Waste**

### **HB4112 | Disposal or Storage of High-level Radioactive Waste**

*Sponsored by Landgraf and Birdwell*

Bars any person from disposing of, storing, or otherwise handling high-level radioactive waste within the state.

### **HB4426 | Commercial Surface Disposal Facilities Permitting**

*Sponsored by Darby, Zaffirini, Cook, and West*

Establishes a term limit and renewal criteria for permits issued by the Railroad Commission of Texas for commercial surface disposal facilities.



The legislation defines that a permit for a commercial surface disposal facility is valid for a maximum term of ten years, and it specifies that permits may be renewed successively provided the permit holder meets statutory renewal conditions.

## **Inland Water Quality & Management**

### **HB1633 | Groundwater Conservation District Permitting**

*Sponsored by Gerdes and Kolkhorst*

Establishes new criteria for groundwater conservation districts to evaluate permit applications.

Under the legislation, a groundwater conservation district must consider whether issuing or amending a permit would unreasonably affect wells that are registered with the district and exempt from permitting requirements. That includes wells used for domestic or small-scale agricultural purposes.

### **HB1689 | Groundwater Export Fees**

*Sponsored by Gerdes and Kolkhorst*

Authorizes groundwater conservation districts to use groundwater export fees to maintain the operability of wells located outside the district under interlocal contracts.

### **HB2078 | Groundwater Management Area Planning**

*Sponsored by Gerdes, Isaac, and Perry*

Defines enhanced joint planning requirements for groundwater management goals in district regions.

Per the law, district representatives are required to meet at least annually to discuss accomplishments, review management plans, and propose or amend desired future conditions.

Affected groundwater conservation districts must include in their management plans explanations of how they are tracking performance and progress toward achieving previously adopted desired future conditions over the most recent five-year joint planning period.

### **HB2080 | Groundwater Conservation District Duties**

*Sponsored by Gerdes, Isaac, and Perry*

Establishes detailed review procedures for petitions related to groundwater conservation district duties.

Under the legislation, the Texas Commission on Environmental Quality is required to appoint an independent review panel if a petition concerning a groundwater conservation district is not dismissed.

That panel consists of a chairperson and four members and includes a nonvoting recording secretary who documents proceedings.

### **HB2692 | San Antonio River Authority Legal Framework**

*Sponsored by Guillen, Perry, and Menendez*

Establishes a comprehensive legal framework for the San Antonio River Authority by codifying and updating its enabling legislation.

The measure grants powers related to water conservation, flood control, pollution prevention, forestation, and contracting for services within the San Antonio River Basin and allows the authority to annex territory, enforce regulations, and exercise eminent domain.

### **HB3333 | Direct Discharges of Pollutants into Water**

*Sponsored by Morales and Blanco*

Restricts new direct wastewater discharge permits into the Devils River and its drainage areas.

The act adds to existing law a prohibition on the Texas Commission on Environmental Quality issuing new permits for direct discharges of waste, effluent, or pollutants from domestic or industrial wastewater treatment facilities into any classified segment of the Devils River in Val Verde County or unclassified water bodies that drain into such segments.

#### **HB4630 | Water Well Regulation**

*Sponsored by Kitzman and Perry*

Amends existing law relating to the regulation of artesian water wells by the Texas Commission on Environmental Quality.

The measure deletes obsolete reporting requirements and removes the offense provision for violating drilling record requirements.

The bill provides that the remaining artesian well provisions, other than those requiring secure capping or controlling well flow to prevent injury and those addressing improperly cased wells as nuisances, apply only to wells drilled outside groundwater conservation districts, subsidence districts, or other reclamation districts with authority to regulate well drilling, spacing, or production.

#### **HB5560 | Groundwater Conservation District Penalties**

*Sponsored by Harris, et al.*

Amends existing law relating to penalties in suits involving a groundwater conservation district.

The legislation authorizes a district board by rule to set reasonable civil penalties recoverable from any person for breach of a district rule not to exceed \$25,000 per day per violation.

#### **HB5659 | Interbasin Transfers of Water**

*Sponsored by Dean, Vandeaver, Hefner, and Hughes*

Requires procedural safeguards for interbasin water transfers by the Northeast Texas Municipal Water District.

The legislation requires the district's board to hold a public hearing before entering into a contract for, or obtaining a permit authorizing, an interbasin water transfer. It also mandates that interested persons must be given the opportunity to appear and speak at that hearing.

#### **SB7 | Water Infrastructure Matters**

*Sponsored by Perry, et al.*

Expands the Texas Water Development Board's authority to provide financial assistance for irrigation, municipal, and regional water projects.

The measure requires project eligibility criteria based on public health, drought mitigation, and cost-effectiveness, mandates board reporting on fund allocations, and directs the board to administer low-interest loans, grants, and emergency funding for systems that improve water supply, conservation, and wastewater treatment.

#### **SB616 | Aquifer Storage and Recovery Projects**

*Sponsored by Schwertner, Eckhardt, and Harris*

Authorizes the injection of water into geologic formations underlying the Edwards Aquifer for aquifer storage and recovery projects that transect specified areas.

The measure amends state law to permit the Texas Commission on Environmental Quality, by rule or permit, to authorize aquifer storage and recovery injection wells that transect the Edwards Aquifer in Williamson County east of Interstate Highway 35 and in Medina County.

#### **SB863 | Edwards Aquifer Water Use**

*Sponsored by Perry and Isaac*

Restricts the withdrawal and use of water from the Edwards Aquifer.

The legislation amends existing law to clarify that water withdrawn from the aquifer may not be transported outside the boundaries of the Edwards Aquifer Authority via pipeline or any other means.

It further requires that such water must be used within the aquifer authority's boundaries or within the certificated service area of a retail public utility.

#### **SB1055 | Permit Fees for Groundwater Wells**

*Sponsored by Nichols and Ashby*

Raises groundwater well permit fee caps for one Southeast Texas district.

The law states that the Southeast Texas Groundwater Conservation District may increase its production fee rate from one cent to seven cents per 1,000 gallons of water withdrawn.

The update aligns with caps used in other groundwater districts across the state.

#### **SB1169 | Water and Sewer Service Cooperation**

*Sponsored by Hinojosa, Perry, and Guillen*

Authorizes public entities to provide water or sewer service jointly or concurrently.

The act broadens the definition of public entity to include water supply and sewer service corporations and clarifies that public utility agencies formed by multiple local entities qualify as retail public utilities under the Texas Water Code.

New governance provisions streamline interlocal agreements for acquiring, operating, and divesting facilities by setting specific timelines and debt repayment obligations to protect remaining participants.

Financial mechanisms are enhanced through authorization for these agencies to issue revenue bonds and to impose assessments to fund water and sewer infrastructure projects.

#### **SB1194 | Central Texas Water Alliance**

*Sponsored by Flores, et al.*

Creates the Central Texas Water Alliance.

The measure authorizes the alliance to issue revenue bonds to finance water supply, conservation, and infrastructure projects within its service area.

It grants the alliance the power of eminent domain to acquire necessary land or property interests for project development and operation, and it permits the alliance to impose fees and assessments on member entities, municipalities, and benefited property owners to support its activities.

Finally, the alliance is allowed to enter into contracts, agreements, and interlocal cooperation arrangements with governmental and private entities to fulfill its purposes.

## **SB1268 | Updating Guidance Principles**

*Sponsored by Blanco and Villalobos*

Requires the Water Development Board to review and update guidance principles and rules related to the state water plan every five years.

The measure directs coordination with the Commission on Environmental Quality, the Department of Agriculture, and the Parks and Wildlife Department when revising water plan guidance principles, and it extends the five-year review cycle to rules adopted under provisions for board-approved plans, including those governing water conservation and resource management.

Rules related to the state flood plan must be reviewed and updated at least every five years, with input from multiple state agencies, according to the measure.

## **SB1583 | Groundwater Conservation Districts Management Plans**

*Sponsored by Blanco and Barry*

Amends management plans adopted by groundwater conservation districts to require inclusion of the most recently approved desired future conditions and associated modeled available groundwater volumes.

The legislation requires a district to amend its management plan no later than two years after adopting new desired future conditions.

It also provides criteria for administrative completeness when a petition challenges the reasonableness of a desired future condition, including inclusion of the most recently approved desired future conditions, corresponding modeled available groundwater volumes, the status of the challenge, and other statutory elements throughout the petition process.

## **SB1662 | Water Quality Testing Notice**

*Sponsored by Zaffirini, West, and Guillen*

Authorizes the Texas Health and Human Services Commission to provide notice not more than 24 hours in advance to public drinking water supply systems that obtain water from underground sources before conducting water quality testing to investigate a complaint.

The measure mandates that the notice relate specifically to testing intended to investigate complaints regarding water quality.

## **SB1663 | Groundwater Contamination Procedures**

*Sponsored by Zaffirini and Guillen*

Amends existing law relating to groundwater contamination notification procedures.

As soon as practicable but not later than 30 days after the Commission on Environmental Quality receives notice under existing law or obtains independent knowledge of groundwater contamination, the commission must make every effort to give notice by first-class mail, e-mail, notice placed on the door of a residence, or another effective delivery method.

The bill requires the commission to notify each owner of a private drinking water well that may be affected by the contamination.

It also requires the commission to notify each applicable groundwater conservation district and the residents of each residential address within one mile of the site of the contamination.

### **SB1746 | Dredged Materials Relocation**

*Sponsored by Creighton, Hagenbuch, Metcalf, and Leo-Wilson*

Clarifies which navigation district is financially responsible when dredged materials placed in another district's placement area must be relocated or removed.

The measure amends the Water Code to add provisions outlining procedures and responsibilities for the relocation or removal of dredged spoils or materials.

It requires a navigation district that necessitates relocation or removal of dredged spoils or materials from areas owned, operated, or managed by another district to bear the associated costs.

The bill directs navigation districts to establish rules or agreements governing spoils management and cost allocation among affected districts.

### **SB1967 | Financial Assistance from the Texas Water Development Board**

*Sponsored by Hinojosa, et al.*

Authorizes financial assistance for water and wastewater services, water conservation, desalination, brush control, weather modification, regional conveyance systems, flood control, and related water quality enhancement projects through the Texas Water Development Board's loan fund.

Eligibility extends to drainage districts for water supply and flood control undertakings without regard to historical water-use data, retail service status, or certificate of convenience and necessity requirements.

Applicants facing emergencies, those ready to proceed with planning, design, rights acquisition, and construction, and projects featuring flood control components or demonstrated conservation benefits based on water-loss audits receive additional consideration.

Flood mitigation projects now include planning and design, regulatory approvals for structural and nonstructural measures, construction of traditional and nature-based infrastructure, and multi-purpose systems that capture, treat, and distribute water as an additional supply source.

### **SB2550 | Water Rights Disclosure Exemption**

*Sponsored by West and Darby*

Exempts the transfer of certain water rights from existing disclosure requirements applicable to transfers of real property interests.

Prior law required sellers to disclose conditions such as potential annexation, public improvement district assessments, coastal area property risks, and service charge obligations when conveying real property interests.

The legislation removes those notice requirements for transactions involving only groundwater or surface water rights because the specified conditions do not affect water rights.

### **SB2662 | Drought Contingency Plan Enforcement**

*Sponsored by Perry, Flores, Menendez, and Harris*

Defines enforcement provisions for drought contingency plans by water and sewer utilities, and grants the Public Utility Commission oversight authority.

Utilities must include specific, quantified water-use reduction targets and procedures for mandatory restriction enforcement, including penalties and discontinuation of service.

The measure authorizes utilities and the commission to restrict, reduce, or discontinue service in compliance with an approved drought contingency plan. It requires drought contingency plans and related rules to be filed as part of utility tariffs.

Model drought contingency programs and target goals are to be jointly developed and updated periodically by the Commission on Environmental Quality, the Public Utility Commission, and the Texas Water Development Board.

### **SCR13 | 1944 Treaty Compliance**

*Sponsored by Hinojosa, et al.*

Urges the U.S. Department of State and the U.S. Section of the International Boundary and Water Commission to take appropriate action to ensure Mexico complies with the 1944 Treaty regarding shared water resources.

## **Land Management**

### **HB2563 | Temporary Prescribed Burn Manager Self-insurance Pool**

*Sponsored by Ashby, Morales, and Kolkhorst*

Establishes a temporary certified and insured prescribed burn manager self-insurance pool.

The act directs the Texas A&M Forest Service to administer a self-insurance program that identifies and evaluates risks from prescribed burns, maintains a loss-prevention program, consolidates risk management, and provides general liability coverage.

## **Solid Waste**

### **HB1238 | Proposed Class I Injection Well Inspection**

*Sponsored by Guillen and Parker*

Revises inspection requirements for proposed Class I injection wells.

Under the measure, the Commission on Environmental Quality may accept inspection reports prepared by licensed engineers or geoscientists in lieu of conducting the inspection personally.

Practitioners are permitted to conduct virtual inspections using satellite imagery, mapping software, or other appropriate information sources.

### **HB3071 | Cancellation of Solid Waste Permits**

*Sponsored by Geren and Hancock*

Requires the Texas Commission on Environmental Quality to cancel a municipal solid waste landfill permit when the facility has not accepted waste for 25 consecutive years and the original permit holder no longer owns the property.

That duty applies only in counties with populations exceeding 2.1 million and within the extraterritorial jurisdiction of the county's principal city with over 900,000 residents, effectively limiting applicability to Houston/Harris County.

### **HB3487 | Oyster Shell Recycling Program Provisions**

*Sponsored by Hunter, Leo-Wilson, Kolkhorst, and Hinojosa*

Creates a deduction from taxable sales for food service establishments participating in a qualified oyster shell recycling program, allowing a reduction of \$2 for each 50 pounds of oyster shells they collect and submit to recycling projects.



### **HB3866 | Intermediate Bulk Container Recycling Facilities Regulations**

*Sponsored by Landgraf and Sparks*

Establishes a regulatory framework for intermediate bulk container recycling facilities.

The legislation defines an “intermediate bulk container” as a rigid or flexible portable packaging, excluding cylinders or portable tanks, with a capacity of at least 275 gallons.

It defines an “intermediate bulk container recycling facility” as a site that accepts such containers for reconditioning for reuse or disposal.

The measure prohibits installing or operating such a facility within 2,000 feet of a private residence, and it requires facility owners to register with the Texas Commission on Environmental Quality at least thirty days before the facility begins receiving containers.

### **HB5057 | Municipal Solid Waste Management Services Contracts**

*Sponsored by Landgraf and Nichols*

Defines “exclusive contract” to mean an agreement between a public agency and a privately owned solid waste management service provider that grants the provider an exclusive right to collect or transport municipal solid waste within the agency’s jurisdiction.

The law requires a public agency that enters into or renews an exclusive contract to provide notice summarizing the purpose of the contract and describing the change made by the contract or amendment.

### **SB1646 | Copper or Brass Theft and Recycling**

*Sponsored by King, et al.*

Establishes criminal offenses relating to the theft, damage, or destruction of copper or brass and to the unauthorized possession of certain copper or brass material.

The law increases criminal penalties for unlawful conduct involving copper or brass material and provides an administrative penalty for violations.

The legislation regulates transactions of metal recycling entities involving copper or brass by imposing requirements and administrative penalties for noncompliance, and it requires training programs for identifying copper or brass material for relevant entity employees to support enforcement efforts.

The seal of the U.S. Virgin Islands is visible in the background, featuring a shield with a red and white striped field, a blue chief, and a green wreath. The shield is flanked by two golden eagles, one holding a green olive branch and the other holding a blue bundle of arrows. The entire seal is set against a white background.

# U.S. VIRGIN ISLANDS

**In Brief:** Across late 2024 and 2025, the USVI passed three E&E bills. USVI lawmakers prioritized reliability, distributed generation, and cleaner streets. **Bill 35-0340** extends the energy-crisis emergency through December 20, 2024 to stabilize power supplies and procurement. **Bills 35-0300 and 35-0320** authorize long-term lease agreements with Advance Power, LLC for wind-driven microgrid infrastructure on St. Thomas and St. Croix, advancing islanded resilience and fuel diversification. **Bill 36-0043** raises penalties and tightens enforcement for sanitation violations, signaling a parallel push on public health and tourism readiness alongside grid fixes.

## Energy Legislation

### Emergency Management & Homeland Security

#### **Bill 35-340 | Energy-crisis Extension**

*Sponsored by Francis and Bolques, Jr.*

Extends the energy-crisis state of emergency (to December 20, 2024) in order to stabilize electricity supply.

### Utilities

#### **Bills 35-300 & 35-320 | Microgrid Lease Agreements**

*Sponsored by Francis and Bolques, Jr.*

Approves lease agreements for microgrid infrastructure with wind turbines on St. Thomas and St. Croix (Advance Power, LLC).

## Environmental Legislation

### Solid Waste

#### **Bill 36-43 | Sanitation Violations**

*Sponsored by Bolques, Jr. and Blyden*

Increases penalties for sanitation law violations by tightening enforcement.

# VIRGINIA

**In Brief:** Virginia set its sights on reliability, decarbonization, and environmental safeguards in 2025. Clean power eligibility widens with fusion deemed clean energy (HB1779/SB1338) and in-region geothermal meeting RPS (SB1316) while school-sited projects get priority when low-income options are unavailable (HB1934/SB1192) and agencies may no longer exclude U.S.-made solar materials (HB2024/SB1165). Grid modernization advances via zero-carbon procurement for large customers (HB1821), prudency review of advanced conductors (HB1822), interconnection cost-sharing (HB2266/SB1058), and a Dominion virtual power plant pilot with HB2346/SB1100. Security tightens with an SCC utility-cyber workgroup in SB1239 and felony drone trespass over utilities and military sites (SB1272). Environmental protections deepen with a PFAS reduction program (HB2050), updated Dam Safety Act (HB2000/SB857), and a wetlands strategy task force (HB2034).

## Energy Legislation

### Critical Minerals & Rare Earth Elements

#### **HB1887/SB969 | Mineral Mining Rules and Cyanide Prohibition**

*Sponsored by Bloxom; Stuart*

Amends the definition of surface mineral mine in the Mineral Mine Safety Act to exclude excavation or grading when conducted solely in aid of onsite farming or construction and under certain conditions enumerated in the bill.

The bill amends the definition of mining in existing law, relating to the exemption from permits for a mining operation, to extend the required completion time from six months to one year for excavation or grading conducted to construct or expand a farm pond for agricultural irrigation or provision of water for livestock.

The measure also revises the qualification requirements for mineral mine inspectors, removes references to the defunct Board of Mineral Mining Examiners, and prohibits the issuance of any permit for a mineral mining or processing operation that includes the use of cyanide or a cyanide compound.

### Cybersecurity & Digital Technology

#### **SB1239 | SCC Workgroup on Utility Cybersecurity**

*Sponsored by McDougle*

Directs the State Corporation Commission to convene a work group to evaluate cybersecurity as it relates to the provision of electric service by investor-owned electric utilities and electric cooperatives.

The bill requires the commission to report on its findings and recommendations to the Chairmen of the House Committee on Labor and Commerce and the Senate Committee on Commerce and Labor by November 30, 2025.

## **Efficiency & Weatherization**

### **HB1819 | Expand and Streamline Statewide C-PACE Financing Program**

*Sponsored by Reid*

Makes several changes to the Commercial Property Assessed Clean Energy (C-PACE) financing program, including adding a definition of property owner to include a lessee and providing that the lessee may also be eligible for a C-PACE loan by complying with certain conditions, including consent of the fee simple property owner.

The bill also changes from two years to three years from a locality's issuance of a certificate of occupancy the time period within which a local C-PACE ordinance may allow submittal of a loan application. It also requires that a locality agrees to execute an agreement within 30 days of the adoption of the ordinance that opts them into the statewide C-PACE loan program.

### **HB2077/SB1335 | Include Tribes as Eligible Recipients for Flood Preparedness Funding**

*Sponsored by Krizek, Simonds, Carr, and Griffin; Marsden*

Expands the type of eligible recipients for loans and grants from the Virginia Community Flood Preparedness Fund to include federally recognized tribes and Virginia recognized tribes.

## **Emergency Management & Homeland Security**

### **HB1820 | Assess Statewide Public Safety Communications Upgrades and Funding Needs**

*Sponsored by Reid, Campbell, and Runion*

Directs the Secretary of Public Safety and Homeland Security, in conjunction with the Secretary of Finance, to evaluate the need for public safety communications infrastructure updates and hardware replacements and the cost of meeting such need.

The Secretaries must report any findings and recommendations, including possible funding options, to the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations no later than December 1, 2025.

### **SB1272 | Felony Trespass Using Drones over Utility or Military Facilities**

*Sponsored by Brewer and Durant*

Creates a Class 4 felony for any person who knowingly and intentionally, and without authorization, causes an unmanned aircraft system to enter the airspace over any public services or utilities or critical infrastructure, as defined in relevant law, including any military base authorized by the U.S. Department of Defense.

The act also adds that the offenses related to trespass with an unmanned aircraft system may not apply to any person who causes an unmanned aircraft system to enter any prohibited property if such person is an employee of the property and is conducting official business or an employee of a public service or utility or critical infrastructure and is conducting official business.

## **Fossil Energy**

### **HB1579 | Extend Local Gas Severance Tax Authority**

*Sponsored by Morefield*

Extends from January 1, 2026, to January 1, 2028, the expiration date for provisions permitting any county or city to impose a license tax at a rate not to exceed one percent on every person engaged in the business of severing gases from the earth for the purposes of funding improvements to public roads or as otherwise provided for the Virginia Coalfield Economic Development Authority.



## **HB1948 | Create Abandoned Mine Land Grant Retention Fund**

*Sponsored by Bulova and Simonds*

Establishes the Abandoned Mine Land Grant Retention Fund and requires any eligible designated funds received under the federal Infrastructure Investment and Jobs Act to be deposited into the fund.

The bill authorizes the Director of the Department of Energy to provide grants for certain projects described in the federal Act relating to the protection of public health, safety, and property from the adverse effects of coal mining practices.

## **Nuclear Energy**

### **HB1779/SB1338 | Fusion as Clean Energy**

*Sponsored by Sullivan, et al.; Marsden*

Adds fusion energy to the list of generation sources that qualify as carbon-free energy or clean energy.

## **Renewable Energy**

### **HB1934/SB1192 | Prioritizing School Sited Projects**

*Sponsored by Bolling, et al.; Deeds and Locke*

Provides that for purposes of compliance with a renewable energy portfolio standard program, to the extent that low-income qualifying projects are not available and projects located on or adjacent to public elementary or secondary schools are available, a certain percentage of the required projects must be composed of projects located on or adjacent to public elementary or secondary schools.

### **HB2024/SB1165 | Ban Exclusion of U.S.-made Solar Materials in Procurement**

*Sponsored by Seibold, et al.; Salim*

Prohibits state and local agencies from including a provision in any request for proposal, procurement agreement, contract, ordinance, policy, permit, or accompanying document that directs the exclusion from use of any materials contained in or products associated with solar photovoltaic equipment and facilities that are manufactured in the United States.

### **HB2426 | Include Interconnection Facilities in Small Project Permit**

*Sponsored by Callsen and Laufer*

Amends the definition of small renewable energy project for the purposes of obtaining a permit by rule from the Department of Environmental Quality to include interconnection facilities.

The bill requires the Department of Environmental Quality and the State Corporation Commission to enter into a memorandum of understanding to implement the provisions of the bill.

### **SB1316 | Geothermal Renewable Portfolio Standard Eligibility**

*Sponsored by McPike*

Provides that geothermal electric generating resources located in the state or physically located within the Pennsylvania-New Jersey-Maryland region are eligible for compliance with renewable portfolio standard requirements.

## **Utilities**

### **HB1821 | Enable Large Customers to Procure Zero-carbon Power**

*Sponsored by Reid*

Permits accelerated renewable energy buyers or groups of accelerated renewable energy buyers to contract for bundled capacity, energy, and renewable energy certificates from zero-carbon electricity generation resources under certain conditions.

The measure states that accelerated renewable energy buyers are commercial or industrial customers of Phase I or Phase II utilities with aggregate loads over 25 megawatts that meet certification criteria set by the State Corporation Commission.

Zero-carbon electricity is defined as electricity generated by units that do not emit carbon dioxide as a by-product of combustion.

Buyers may also procure energy storage resources to offset all or a portion of their capacity needs, provided such costs are borne solely by participating buyers and are not allocated to other utility customers.

The measure exempts these buyers from non-bypassable renewable portfolio standard compliance costs in proportion to the contracted renewable energy certificates or storage capacity.

Finally, the State Corporation Commission may promulgate rules to implement certification, verification, and contract oversight processes.

### **HB1822 | Approving Advanced Conductors in Transmission Lines**

*Sponsored by Reid*

Requires the State Corporation Commission to consider the prudence of using advanced conductors in making any determination regarding need, corridor, route, or method of installation as it relates to certain applications for the construction of transmission lines of 138 kilovolts or more.

The bill has a delayed effective date of January 1, 2026.

### **HB2084 | Review Dominion and Appalachian Customer Classifications**

*Sponsored by Shin, et al.*

Directs the State Corporation Commission (SCC), in an existing proceeding filed after January 1, 2025, but no later than July 1, 2027, to determine whether Dominion Energy and Appalachian Power are using rates, tolls, charges, or schedules that contain reasonable classifications of utility customers.

### **HB2266/SB1058 | Distribution Cost Sharing for Interconnection Upgrades**

*Sponsored by Tran and Watts; Ebbin*

Directs the State Corporation Commission by July 1, 2026, to establish by regulation a distribution cost sharing program for Dominion Energy Virginia and Appalachian Power to construct distribution system upgrades required to interconnect participating projects, as defined in the bill.

The measure directs the commission to require each such utility to file any tariffs, agreements, or forms necessary for the implementation of the program by December 1, 2026, and to submit a report on the implementation of the program by November 1, 2028.



**HB2346/SB1100 | Virtual Power Plants Pilot**

*Sponsored by Hernandez, et al.; Hashmi*

Requires Dominion Energy Virginia to petition the State Corporation Commission for approval to conduct a pilot program to evaluate methods to optimize demand through various technology applications, including the establishment of virtual power plants, by December 1, 2025.

The measure also requires the pilot program to evaluate electric grid capacity needs and the ability of such virtual power plants to provide grid services, including peak-shaving, during times of peak electric demand.

**HB2621/SB1076 | Authorize Appalachian Power Securitization and Consumer Protections**

*Sponsored by Ballard, et al.; Peake, Pillion, Hackworth, and Stanley*

Authorizes Appalachian Power to petition the State Corporation Commission for a financing order for securitized asset costs.

The bill creates the securitized asset cost charge and provides that the revenues generated by this charge, known as securitized asset cost property, are a property right that can be transferred and pledged as security for the securitized asset cost bonds.

It also establishes the procedures for creating, perfecting, and enforcing the security interest in securitized asset cost property.

Further, the act prohibits rate increases for Appalachian Power during the months of November through February and rate adjustment clauses from taking effect on customer bills between the months of November through February.

It also prohibits Appalachian Power from charging a residential customer any interest or late fees between July 1, 2025, and December 31, 2025, and from charging a residential customer any reconnection fees between July 1, 2025, and March 1, 2026.

Finally, the bill provides that in any rate proceeding for Appalachian Power, the State Corporation Commission must include an invitation for public comment.

**HB2644/SB1197 | Unregulated Sales of Electric Power**

*Sponsored by Sickles, Shin, Bennett-Parker, and Lopez; Deeds*

Permits electric cooperatives, through one or more of their affiliates, to make unregulated sales of electric power to certain customers that contract for electric utility services to serve a demand that is reasonably expected to exceed 90 megawatts.

**HB2663/SB1336 | Increase Commercial and Industrial Electricity Consumption Tax Rates**

*Sponsored by Fowler and Watts; Marsden*

Increases the electric utility consumption tax's special utility tax rates for commercial and industrial consumer electricity consumed per month across two tiers: in excess of 2,500 kWh but not in excess of 50,000 kWh and in excess of 50,000 kWh.

**HB2711/SB850 | Allowing Utility Riders for Eligible Projects**

*Sponsored by Lopez; Surovell*

Permits a water or wastewater utility to petition the State Corporation Commission for the approval of an eligible infrastructure replacement and enhancement plan.

The legislation requires that a water or wastewater utility that receives approval for an eligible infrastructure replacement and enhancement rider must provide a proposed earnings test for informational purposes in each annual informational filing or base rate proceeding filed with the State Corporation Commission before December 1, 2030.

## **Environmental Legislation**

### **Coastal Zone Management**

#### **HB1810/SB1169 | Increase Subaqueous Encroachment Permit Threshold**

*Sponsored by Bloxom and Salim*

Increases the maximum total value of projects eligible for a permit to trespass upon or over or encroach upon a subaqueous bed belonging to the Commonwealth from \$500,000 to \$1 million.

The bill requires the Commissioner of Marine Resources to update the total project value every five years using the Consumer Price Index and publish such increase or decrease on the Marine Resource Commission's website.

#### **HB2034 | Wetlands Protection Task Force**

*Sponsored by Simonds, Carr, Clark, and Shin*

Directs the Secretary of Natural and Historic Resources to establish a policy task force to develop strategies to protect existing tidal and nontidal wetlands and restore, create, and plan for the persistence of such wetlands in the state and mechanisms to incorporate such strategies into appropriate plans, including the Virginia Flood Protection Master Plan and the Virginia Coastal Resilience Master Plan, to address losses and adverse impacts from human activities and climate change.

The bill requires the task force to include certain relevant stakeholders, meet at least two times annually, report its initial findings and recommendations to the Chairs of the Senate Committee on Agriculture, Conservation and Natural Resources and House Committee on Agriculture, Chesapeake and Natural Resources by December 1, 2025, and to update its report at least every two years.

#### **HJR434 | Coastal Storm Study**

*Sponsored by Feggans and Hernandez*

Directs the Joint Legislative Audit and Review Commission (JLARC) to study the methodology for determining the monetary contributions by localities or other non-federal sponsors to the total cost of coastal storm risk management studies.

The bill also directs JLARC to determine whether a separate fund should be established to support and manage cost-share requests from non-federal sponsors for such studies.

### **Community & Environmental Health**

#### **HB1941/SB1166 | Retail Signage Requirements for Invasive Plants**

*Sponsored by Seibold, et al.; Salim and Boysko*

Requires, for the sale of certain invasive plant species for outdoor use, a retail establishment to post in a conspicuous manner on the property located in proximity to each invasive plant signage identifying such plant as invasive, educating consumers regarding invasive plant species, and encouraging consumers to ask about alternatives.

The act requires the Commissioner of Agriculture and Consumer Services to designate the format, size, and content of such signage no later than October 1, 2025, and requires the commissioner to issue a stop

sale order and mark or tag a plant in a conspicuous manner when an invasive plant is for sale at a retail establishment without appropriate signage.

In such case, the bill requires the commissioner to give written notice of a finding made to the owner, tenant, or person in charge of such retail establishment and requires the stop sale order issued to remain in effect until the required signage is posted.

### **HB2630 | Local Tree Canopy Fund**

*Sponsored by Willett, et al.*

Allows localities by ordinance to establish a tree canopy fund to collect, maintain, and distribute fees collected from developers that cannot provide for full tree canopy requirements where the development project is situated.

The law requires the ordinance to establish cost units that are based on average costs of two-inch caliper nursery stock trees, and it allows a locality to use moneys from the fund to plant and maintain trees on public or private property or make disbursements to a community-based organization that is exempt from income tax pursuant to 501(c)(3) of the Internal Revenue Code and is operated for tree planting, stewardship, or community-beautification missions that benefit the community at large.

Any funds collected by localities are required to be spent within five years of the collection date.

## **Emergency Management & Homeland Security**

### **HB2000/SB857 | Dam Safety Act Updates**

*Sponsored by Laufer; French*

Amends various provisions of the Dam Safety Act to streamline the Department of Conservation and Recreation's enforcement powers for impounding structures under the act and clarifies the department's powers and duties during an active dam failure.

The bill also makes changes to a dam owner's responsibilities under the act, including adding requirements to obtain a general permit for a low hazard impounding structure, making a dam owner responsible for ensuring that his impounding structure that presents an imminent danger has a safety inspection performed as provided in the bill, and allowing a dam owner to identify the dam break inundation zone of his impounding structure by providing the limits of the dam break inundation zone in lieu of filing a map.

The act also changes certain criteria for applicants to receive funds from the Dam Safety, Flood Prevention and Protection Assistance Fund, including the project match requirements for grants or loans.

Finally, the legislation repeals prior provisions providing civil penalties for violating the provisions of the law.

## **Emissions & Pollution**

### **HB2050 | PFAS Reduction Program**

*Sponsored by Bulova, et al.*

Creates the Occoquan Reservoir PFAS Reduction Program to reduce excessive levels of perfluoroalkyl and polyfluoroalkyl substances (PFAS) in public drinking water derived from the Occoquan Reservoir.

The measure requires certain facilities to monitor for PFAS on or before October 1, 2025, using the U.S. Environmental Protection Agency's approved methods, and it requires any such facility to report all results to the Department of Environmental Quality no later than the tenth day of the next month

after the month in which the result is reported by the laboratory and to include in such report all PFAS analytes measured by the test method.

The legislation also requires by July 1, 2027, for any facility that measures exceedances in its discharge of the maximum contaminant level (MCL) for PFAS in drinking water promulgated on or before January 1, 2025, the department, for an individual Virginia Pollutant Discharge Elimination System permit if the facility discharges directly to surface waters, or a major publicly owned treatment works, for an indirect discharger, to modify the applicable discharge permit to require that the facility's discharge not exceed that MCL.

Further, the bill establishes the modified permit to provide a compliance schedule that requires compliance with such level as soon as possible but no later than July 1, 2029.

It also exempts from its provisions any industrial discharger not listed in the bill, any publicly owned treatment works or drinking water treatment plant, or a municipal solid waste facility but provides that any public water system may follow the requirements of the bill for the purpose of planning for compliance with the MCL for PFAS in finished water.

Finally, the act clarifies that its provisions will not limit the authority of the department or the owner or operator of any publicly owned treatment works to which any user discharges wastewater to require monitoring or reporting or otherwise regulate the discharge of any PFAS chemicals or other pollutants under other applicable legal authority.

#### **HB2517 | Exempt University Land Application of Sewage Sludge**

*Sponsored by Runion, et al.*

Exempts from permitting requirements for land application, marketing, and distribution of sewage sludge any land application for a research project when such land is owned and operated by an institution of higher education in the state.

The bill requires the institution of higher education to notify the Department of Environmental Quality and the owner of every adjoining property of its intent to land apply such sewage sludge at least 30 days prior to commencing.

It also requires the institution of higher education to comply with setback and recordkeeping requirements outlined in the Virginia Pollution Abatement Permit Regulation.

#### **HB2618/SB1413 | Require Regular Public School Indoor Air Quality Inspections**

*Sponsored by Helmer, et al.; Surovell*

Establishes several enumerated requirements for local school divisions to ensure indoor air quality in each public school building in the local school division, including providing for an inspection and evaluation program at least once every two years and an industry-recognized uniform inspection and evaluation at least once every four years.

#### **SB1495 | Extend Incinerator Permit Exemptions**

*Sponsored by Reeves*

Directs the State Air Pollution Control Board to amend its regulations relating to permit exemptions for poultry or swine incinerators to include bovine incinerators.

## **Hazardous Waste**

### **HB2516 | Require EPA-approved Facility Response Plans**

*Sponsored by Lopez and Anthony*

Mandates any person that is required to submit a facility response plan under the U.S. Environmental Protection Agency's (EPA) Clean Water Act Hazardous Substance Facility Response Plans to submit evidence of an EPA-approved facility response plan to the Department of Environmental Quality within a certain time period and to comply with such plan.

The bill provides requirements for reporting, recordkeeping, and inspection and authorizes the department to initiate a civil action to obtain certain equitable relief for violations of the bill's provisions.

The measure imposes civil penalties for any person that negligently, willfully, or knowingly discharges or causes to discharge a hazardous substance from a facility or fails to implement or comply with an EPA-approved facility response plan.

Finally, the bill requires the department to develop guidance to implement the provisions of the bill.

## **Inland Water Quality & Management**

### **HB1834 | Transfer Waterway Grant Program**

*Sponsored by Bloxom*

Transfers from the Virginia Port Authority to the Marine Resources Commission the administration of the Virginia Waterway Maintenance Grant Program and Fund.

The legislation requires the commission to utilize the existing Municipal Dredging Operating Program and Municipal Dredging Operating Agreement adopted by the Virginia Port Authority for the administration of the Municipal Dredge Pilot Program operated by the Middle Peninsula Chesapeake Bay Public Access Authority.

The bill also requires the commission to utilize the Fast-Track Permitting Program for Disposal of Dredged Material when applicable for dredged material disposal in its implementation of the Virginia Waterway Maintenance Grant Program.

### **HB2309 | Guide Local Districts Before Revoking Septic or Well Permits**

*Sponsored by Hodges*

Directs the Department of Health to develop guidance directing local health districts and local health departments to evaluate and recommend solutions to problems with a valid onsite sewage system or private well permit prior to issuing a revocation for such valid onsite sewage system or private well permit.

### **HB2327 | Extend Eastern Virginia Groundwater Advisory Committee**

*Sponsored by Hodges*

Extends from July 1, 2025, to July 1, 2030, the sunset date of the Eastern Virginia Groundwater Management Advisory Committee to assist the State Water Commission and the Department of Environmental Quality in the management of groundwater in the Eastern Virginia Groundwater Management Area.

## **HB2749/SB1408 | Require Prompt Reporting of Waterworks Failures**

*Sponsored by Bolling, et al.; Reeves and Scott*

Requires owners of waterworks to report any critical equipment failure or malfunction or contaminant release to the Department of Health's Office of Drinking Water as soon as practicable but no more than two hours after discovery.

The bill also states that owners of waterworks that are required to submit a monthly operating report to the Office of Drinking Water must include any noncritical equipment failure or malfunction that could adversely affect water quality, public health, or service continuity in such report.

## **HJR437 | Reestablish Joint Subcommittee on Recurrent Flooding**

*Sponsored by Convirs-Fowler, Askew, Feggans, and Tran*

Reestablishes the Joint Subcommittee on Recurrent Flooding to continue its work through the 2026 interim.

## **SB851 | Protect Rainwater Systems**

*Sponsored by Diggs*

Provides that existing local ordinances adopted prior to July 1, 2025, governing rainwater harvesting systems may continue in force; however, in the event of a conflict between a Board of Health regulation and a local ordinance adopted prior to July 1, 2025, the board regulation supersedes, except when the conflicting local ordinance is more stringent.

The measure also prohibits a locality from adopting any local ordinance requiring owners of Tier 4 rainwater harvesting systems to connect to any municipal water supply or impose any penalty, including condemnation proceedings, on such owner for failing to connect to a municipal water supply.

## **Land Management**

### **HB2330 | Allow Single Mailed Notice for Small Zoning Map Modifications**

*Sponsored by Hodges*

Provides that one notice sent by first-class mail to the last known address of property owners impacted by a proposed change in the zoning map classification of 25 or fewer parcels of land may be deemed adequate notice, provided that a representative of the local planning commission confirms that such mailings have been made and file such affidavit with the papers in the case.

## **Solid Waste**

### **HJR448 | Litter Tax Study**

*Sponsored by Krizek, Hope, Lopez, and Martinez*

Requests the Department of Environmental Quality to study tax policy options for reforming the litter tax.



# WEST VIRGINIA

**In Brief:** West Virginia's 2025 session centered on hardening infrastructure, faster permitting, and pragmatic energy operations. Critical infrastructure protections expand in HB3504, and SB627 enables CCS by leasing state-owned pore space under parks. Utility readiness tightens via a certified microgrid program in HB2014, paving coordination to avoid re-cuts in SB1, outage notices in HB3263, and CPCN waivers for vetted water/sewer projects in HB2742. Permitting streamlines through a one-stop portal with deadlines and refunds in HB2002, while HB2233 and HB3030 bolster DEP rulemaking and fee flexibility to keep Clean Water Act primacy. Fossil policy favors continuity—simpler well-plugging standards in HB3336, prequalified AML consultants in HB3429, and treble damages for unpaid royalties in SB22 while SB573 preempts vehicle power source bans.

## Energy Legislation

### Carbon Capture & Storage

#### **SB627 | Removing Prohibition Against Leasing State-owned Pore Space Underlying State Parks**

*Sponsored by Jeffries, et al.*

Removes the prohibition against leasing state-owned pore spaces underlying lands designated as state parks.

### Cybersecurity & Digital Technology

#### **HB3187 | West Virginia Task Force on Artificial Intelligence Duties**

*Sponsored by Cannon, et al.*

Adds identification of economic opportunities to the agenda of the Task Force on Artificial Intelligence, requires the task force to submit annual electric reports to the House, Senate, and Governor, and changes the termination date of the task force to July 1, 2027.

### Emergency Management & Homeland Security

#### **HB3504 | Protecting Critical Infrastructure**

*Sponsored by Burkhammer, Horst, and Howell*

Defines “critical infrastructure” to include systems and assets, whether physical or virtual, so vital to security, economic security, public health, or safety that their incapacity or destruction would have a debilitating impact, whether operational or under construction.

The act further defines “critical infrastructure facility” to include petroleum and alumina refineries, power generation facilities, substations, switching stations, control centers, transmission lines, chemical or manufacturing plants, water intake and treatment facilities, wastewater plants, pump stations, natural gas compressor stations, liquid natural gas terminals, telecommunications infrastructure, ports, rail yards, trucking terminals, gas processing plants, broadcast transmission facilities, steelmaking facilities using electric arc furnaces, dams, natural gas distribution utilities, oil and refined product storage sites, fenced or posted pipeline facilities, commercial service airports, nuclear reactors and associated components, licensed livestock and poultry facilities, and the hardware or software of any such facility.

The legislation prohibits willful and knowing trespass or entry onto critical infrastructure facilities without permission, establishing misdemeanor penalties for unauthorized access and enhanced penalties if the intent is to damage, destroy, vandalize, deface, tamper with equipment, or impede operations. It imposes felony penalties for damage or tampering causing more than \$2,500 in harm and for conspiracy to commit trespass or damage offenses, including increased fines and imprisonment terms for repeat offenders. The law also provides for civil liability for damages resulting from trespass and authorizes forfeiture of personal property used in perpetration of theft or damage, subject to specified exceptions and procedural safeguards. It exempts lawful activities such as safety monitoring, bona fide labor disputes, union organizing, free speech and assembly, and contractor work performed within the scope of employment from the prohibited acts.

## **Fossil Energy**

### **HB3336 | Well Plugging Methods**

*Sponsored by Zatezalo, et al.*

Amends existing law to eliminate the requirement for a four-and-one-half-inch casing in modern or later-day well plugging operations and the mandatory removal of intermediate or surface casings for non-modern or older oil and gas wells, provided that all other plugging requirements are satisfied.

### **HB3429 | Prequalifying Consultants for Abandoned Mine Lands**

*Sponsored by Riley*

Establishes a process for prequalifying consultants under the Abandoned Mine Lands and Reclamation Act.

The bill defines eligibility criteria for consultant firms, including technical qualifications, experience thresholds, and financial solvency requirements, and it requires public advertisement of consultant opportunities, specifying publication methods and minimum notice periods to ensure transparency and competitive selection.

The legislation clarifies prequalification agreement terms by detailing the duration of eligibility, renewal procedures, and grounds for suspension or removal of consultants, and it further establishes directives for assigning reclamation projects to prequalified consultants, prioritizing assignments based on project type, consultant workload, and regional expertise.

### **SB22 | Penalties for Nonpayment of Royalties**

*Sponsored by Smith, Woelfel, and Hamilton*

Provides enhanced damages for nonpayment of royalties due from oil, natural gas, or natural gas liquids production under the terms of a lease or other agreement.

The bill provides for treble damages equal to three times the market value of the extracted minerals when royalties remain unpaid for six months, unless there is a bona fide dispute or alternative written agreement.

The measure also establishes proper jurisdiction and venue for actions to recover unpaid royalties under the new law, and it entitles the prevailing party in any such action to recover reasonable attorney's fees and court costs.

### **SB573 | Restrictions on Use or Sale of Motor Vehicles Based on Power Source**

*Sponsored by Queen, et al.*

Prohibits state agencies and political subdivisions from restricting the use, purchase, or sale of motor vehicles based on the energy source used for propulsion or other functions.

## **SB883 | Director of WV Office of Miners' Health, Safety, and Training Authority**

*Sponsored by Phillips*

Allows the director of the West Virginia Office of Miners' Health, Safety and Training discretion and authority in the appointment of surface mine inspectors, mine safety instructors, electrical inspectors, and underground mine inspectors.

## **SB942 | Requirements for Diesel-powered Equipment in Mines**

*Sponsored by Rose, et al.*

Modifies existing law to authorize the use and movement of diesel-powered equipment in underground coal mines under specified compliance and notification requirements.

The legislation requires diesel-powered equipment to be approved, operated, and maintained in accordance with rules, requirements, and standards established in West Virginia Code. It allows diesel-powered equipment to be moved between mines within or into the state and operated immediately, provided the equipment complies with existing code provisions and the Director of the Office of Miners' Health, Safety, and Training is notified before it is put into service.

## **Utilities**

### **HB2014 | Power Generation and Consumption Act of 2025**

*Sponsored by Hanshaw, et al.*

Establishes the Certified Microgrid Program administered by the Division of Economic Development.

The program requires the division to promulgate rules detailing eligibility criteria, technical and operational standards, certification procedures, and periodic review of certified microgrids.

The measure also creates a certification process for “high impact data centers,” which benefit from special tax valuation and economic incentives. It directs property tax revenue and other funds from these developments into multiple accounts, including the Electronic Grid Stabilization and Security Fund, income tax reduction, infrastructure improvements, and low-income energy assistance.

### **HB2742 | Limited Waivers for Certain Water or Sewer Projects**

*Sponsored by Riley, Linville, Cannon, and Eldridge*

Establishes a limited waiver from certificate of public convenience and necessity requirement for certain water or sewer services projects.

A public utility, person, or corporation other than a political subdivision with at least 4,500 customers and annual gross combined revenues of \$3 million or more must obtain Public Service Commission approval before initiating new construction, franchises, licenses, or permits. The certificate requirement is waived for projects reviewed and approved as technically feasible by the Infrastructure and Jobs Development Council.

### **HB3179 | Funding for Failing Public Utilities**

*Sponsored by Kyle, Cannon, and Sheedy*

Declares that the Public Service Commission may not order a utility to acquire a distressed or failing utility if the aggregate cost of necessary capital improvements for the distressed or failing utility which will be borne by the acquiring utility exceeds the aggregate required contribution under the commission's extension of mains rules for new customers and grant funds from the Water Development Authority Distressed Utilities Account.

## **HB3263 | Notification of Utility Service Disruption**

*Sponsored by Pushkin and Young*

Requires utilities to have in place an approved method of notice to customers for utility service disruptions.

The bill directs the Public Service Commission to establish and approve acceptable procedures for customer notification of both planned and unplanned service interruptions.

## **SB1 | Requiring Utility Work and Road Paving Coordination**

*Sponsored by Wakim, Rose, and Rucker*

Requires all paving projects to be approved by the Public Service Commission in order to prevent the digging up of newly paved roads for planned utility projects.

# **Environmental Legislation**

## **Community & Environmental Health**

### **HB2043 | Tracking Mortally Wounded Game**

*Sponsored by Burkhammer and Horst*

Authorizes the use of leashed dogs and unmanned aerial vehicles to track or locate mortally wounded deer, elk, turkey, wild boar, or bear.

## **Emergency Management & Homeland Security**

### **SB823 | Clarifying Agency Duties**

*Sponsored by Rucker*

Clarifies and separate duties between the Division of Emergency Management and the West Virginia Department of Environmental Protection.

The measure transfers authority for investigating industrial facility emergency events and incidents, including those involving wells and pipelines, from the Division of Emergency Management to the Department of Environmental Protection. The bill also places responsibility with the Department of Environmental Protection for enforcing and implementing fines and penalties imposed on industrial facilities, wells, and pipeline operators.

## **Emissions & Pollution**

### **HB2233 | Authorizing the Department of Environmental Protection to Create Legislative Rules**

*Sponsored by Smith*

Authorizes certain agencies of the Department of Environmental Protection to promulgate legislative rules relating to hazardous waste management, ambient air quality standards, performance standards for new stationary sources, control of air pollution from hazardous waste facilities, emissions standards for hazardous air pollutants, water quality standards, underground injection control, water pollution control permit fee schedules, and the National Pollutant Discharge Elimination System program.

### **HB3030 | Administration of the West Virginia Water Pollution Control Act**

*Sponsored by Fehrenbacher, Anderson, and Zatezalo*

Removes the maximum fee language in existing law to allow higher permitting fees to maintain primary enforcement authority of Clean Water Act programs delegated from the United States Environmental Protection Agency.

The act applies the removal of fee caps to all water pollution control permits for which the state holds primacy, and it directs concurrent rulemaking to adjust the fee schedules consistent with the expanded fee authority.

### **HB3503 | Regulating Commercial Horticulture under the Water Pollution Control Act**

*Sponsored by Hornby*

Prohibits counties, municipalities, and political subdivisions from regulating commercial horticulture under the Water Pollution Control Act.

No local government may prohibit, regulate, permit, or license commercial horticulture by adopting any charter, law, rule, regulation, ordinance, or zoning provision concerning the size, placement, location, or operation of commercial horticulture within the subject matter of the Water Pollution Control Act.

## **Hazardous Waste**

### **HB2943 | Hazardous Waste Management Fee Extension**

*Sponsored by Zatezalo, Anderson, Street, and Fehrenbacher*

Extends the sunset date of the hazardous waste management fee for five years to allow the agency to generate the required revenue to cover the state match for federal grant funds.

## **Inland Water Quality & Management**

### **HCR49 | Stream Designation Proposals**

*Sponsored by Howell, et al.*

Requests that the Maryland General Assembly reject any legislation proposing to change the stream designation of the North Branch of the Potomac River from the mouth of the Savage River extending to Pinto, Maryland, from a Warm Water Aquatic Life use to a Cold Water Aquatic Life use.

## **Land Management**

### **HB2399 | Taxation of Managed Timber**

*Sponsored by Hillenbrand, et al.*

Modifies the managed timberland certification requirements to every five years for tax assessment purposes and grants rulemaking authority to the Division of Forestry.

## **Reorganization & Coordination**

### **HB2002 | Establishing One-Stop-Shop Permitting Process**

*Sponsored by Hanshaw and Hornbuckle*

Establishes the One-Stop-Shop Permit Program to streamline permitting processes, creates an online dashboard for managing qualifying permits, and requires refund of fees when agencies miss processing deadlines.

The dashboard will serve as a centralized portal for applicants to submit, track, and renew permits across multiple regulatory agencies, such as the Department of Environmental Protection.



# 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, U.S. 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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