

(ii) "Project entity asset" does not include an asset that is not essential for the generation of electricity in the project entity's coal-powered electrical generation facility.

(2) ~~H→~~ [Before July 1, 2025, a] ~~A ←H~~ project entity shall provide a notice of decommissioning or

disposal to the Legislative Management Committee at least 180 days before:

(a) the disposal of any project entity assets; or

(b) the decommissioning of the project entity's coal-powered electrical generation facility.

(3) The notice of decommissioning or disposal described in Subsection (2) shall include:

(a) the date of the intended decommissioning or disposal;

(b) a description of the project entity's coal-powered electrical generation facility intended for decommissioning or any project entity asset intended for disposal; and

(c) the reasons for the decommissioning or disposal.

(4) ~~H→~~ [Before July 1, 2025, a] ~~A ←H~~ project entity may not intentionally prevent the functionality

of the project entity's existing coal-powered electrical generation facility.

(5) Notwithstanding the requirements in Subsections (2) through (4), a project entity may take any action necessary to transition to a new electrical generation facility powered by natural gas, hydrogen, or a combination of natural gas and hydrogen, including any action that has been approved by a permitting authority.

Section 2. Section **11-13-319** is enacted to read:

11-13-319. Project entity continued operation study.

(1) The Office of Energy Development shall conduct a study to:

(a) evaluate all environmental regulations and permits to be filed to continue operation of a project entity's existing coal-powered electrical generation facility;

(b) identify best available technology to implement additional environmental controls for continued operation of a project entity's existing coal-powered electrical generation facility;

(c) identify the transmission capacity of the project entity;

(d) coordinate with state and local economic development agencies to evaluate economic opportunities for continued use of a project entity's existing coal-powered electrical generation facility;

(e) analyze the financial assets and liabilities of a project entity;

88 (f) identify the best interests of the local economies, local tax base, and the state in
89 relation to a project entity;

90 (g) evaluate the viability of the continued operation of a project entity's existing
91 coal-powered electrical generation facility;

92 (i) under ownership of the state; or

93 (ii) in a public private partnership; and

94 (h) identify the steps necessary for the state to obtain first right of refusal for ownership
95 of a project ~~H~~→ entity's ~~←H~~ existing coal-powered electrical generation facility.

96 (2) A project entity shall cooperate and provide timely assistance and information to
97 the Office of Energy Development in the preparation of the study described in Subsection (1).

98 (3) The Office of Energy Development shall report to the Public Utilities, Energy and
99 Technology Interim Committee and the Legislative Management Committee on or before the
100 Public Utilities, Energy, and Technology Interim Committee's September 2023 interim
101 committee meeting.

102 (4) The report described in Subsection (3) shall include:

103 (a) the results of the study described in Subsection (1);

104 (b) recommendations for continued operation of a project entity's existing
105 coal-powered electrical generation facility;

106 (c) environmental controls that need to be implemented for the continued operation of
107 a project entity's existing coal-powered electrical generation facility;

108 (d) recommendations to increase local and state tax revenue through the continued
109 operation of a project entity's existing coal-powered electrical generation facility; and

110 (e) recommendations for legislation to be introduced in the 2024 General Session to
111 enable the continued operation of a project entity's existing coal-powered electrical generation
112 facility.

113 Section 3. Section **79-6-301** is amended to read:

114 **79-6-301. State energy policy.**

115 (1) It is the policy of the state that:

116 (a) Utah shall have adequate, reliable, affordable, sustainable, and clean energy
117 resources;

118 (b) Utah ~~[with]~~ shall promote the development of: