♣ Approved for Filing: R.H. Rees♣ 01-02-24 4:22 PM♣

	COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY ACT
	AMENDMENTS
	2024 GENERAL SESSION
	STATE OF UTAH
	Chief Sponsor: Christine F. Watkins
	Senate Sponsor:
LONG T	TITLE
General	Description:
Т	This bill modifies provisions of the Commercial Property Assessed Clean Energy Act
Highligl	nted Provisions:
Т	This bill:
•	modifies the definition of "renewable energy system," for purposes of the
Commer	rcial Property Assessed Clean Energy Act, to include a system that provides
energy o	utside the energy assessment area if the system is a biofuel system Ĥ→ [or does
not use t	he public electrical utility's power grid to transmit the energy] $\leftarrow \hat{\mathbf{H}}$; and
•	makes technical changes.
Money A	Appropriated in this Bill:
N	None
Other S	pecial Clauses:
N	None
Utah Co	ode Sections Affected:
AMEND	OS:
1	1-42a-102, as last amended by Laws of Utah 2023, Chapter 16
Be it end	acted by the Legislature of the state of Utah:
S	Section 1. Section 11-42a-102 is amended to read:



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245	property not located in the certified service area of a distribution electrical cooperative, as that
246	term is defined in Section 54-2-1, and] an energy system that:
247	(i) produces energy from renewable resources, including:
248	(A) a photovoltaic system;
249	(B) a solar thermal system;
250	(C) a wind system;
251	(D) a geothermal system, including a generation system, a direct-use system, or a
252	ground source heat pump system;
253	(E) a microhydro system;
254	(F) a biofuel system; or
255	(G) any other renewable source system that the governing body of the local entity
256	approves; <u>or</u>
257	(ii) stores energy, including:
258	(A) a battery storage system; or
259	(B) any other energy storing system that the governing body or chief executive officer
260	of a local entity approves[; or].
261	(b) [(iii) any] "Renewable energy system" includes an improvement that relates
262	physically or functionally to any of the products, systems, or devices listed in Subsection
263	[(37)(a)(i) or (ii)] <u>(38)(a)(i) or (ii)</u> .
264	[(b)] (c) "Renewable energy system" does not include a system described in Subsection
265	[(37)(a)(i)] (38)(a)(i) if the system provides energy to property outside the energy assessment
266	area, unless the system:
267	(i) (A) existed before the creation of the energy assessment area; and
268	(B) beginning before January 1, 2017, provides energy to property outside of the area
269	that became the energy assessment area; [or]
270	(ii) provides energy to property outside the energy assessment area under an agreement
271	with a public electrical utility that is substantially similar to agreements for other renewable
272	energy systems that are not funded under this chapter[\cdot]; $\hat{\mathbf{H}} \rightarrow \underline{\mathbf{or}} \leftarrow \hat{\mathbf{H}}$
273	(iii) is a biofuel system $\hat{\mathbf{H}} \rightarrow [; \mathbf{or}] \cdot \leftarrow \hat{\mathbf{H}}$
274	$\hat{H} \Rightarrow [\underline{\text{(iv)}}]$ does not use the public electrical utility's power grid to transmit power outside the
275	energy assessment area.