{deleted text} shows text that was in HB0048 but was deleted in HB0048S01. inserted text shows text that was not in HB0048 but was inserted into HB0048S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Colin W. Jack proposes the following substitute bill:

UTAH ENERGY ACT AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: ⁺Colin W. Jack

Senate Sponsor: + David P. Hinkins

LONG TITLE

{Committee Note:

The Public Utilities, Energy, and Technology Interim Committee recommended this bill.

Legislative Vote: 10 voting for 2 voting against 3 absent

}General Description:

This bill modifies the Utah Energy Act.

Highlighted Provisions:

This bill:

- modifies reporting requirements for the Office of Energy Development;
- modifies the purposes of the Office of Energy Development to include:
 - developing strategies to advocate for state interests on federal energy and environmental programs;

- overseeing legal strategy on federal overreach and permitting delays; and
- engaging in federal rulemaking and advocacy for regulatory reform;
- directs the Office of Energy Development to adopt a master plan with data-driven modeling at a statewide level;
- requires adoption of best practices in development of state energy plans; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

79-6-203, as renumbered and amended by Laws of Utah 2021, Chapter 280

79-6-401, as last amended by Laws of Utah 2023, Chapter 196

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **79-6-203** is amended to read:

79-6-203. Reports.

- (1) The energy advisor shall report annually to:
- (a) the appointing authority; and
- (b) the [Natural Resources, Agriculture, and Environment Interim Committee] Public

Utilities, Energy, and Technology Interim Committee.

- (2) The report required in Subsection (1) shall:
- (a) summarize the status and development of the state's energy resources;
- (b) summarize the activities and accomplishments of the [Office of Energy

Development] office;

- (c) address the energy advisor's activities under this part; [and]
- (d) recommend any energy-related executive or legislative action the energy advisor <u>or</u> <u>office</u> considers beneficial to the state, including updates to the state energy policy under Section 79-6-301[-]; and

(e) address long-term energy planning required under Subsection 79-6-401(10).

Section 2. Section 79-6-401 is amended to read:

79-6-401. Office of Energy Development -- Creation -- Director -- Purpose --

Rulemaking regarding confidential information -- Fees -- Transition for employees.

(1) There is created an Office of Energy Development in the Department of Natural Resources.

(2) (a) The energy advisor shall serve as the director of the office or, on or before June30, 2029, appoint a director of the office.

(b) The director:

(i) shall, if the energy advisor appoints a director under Subsection (2)(a), report to the energy advisor; and

(ii) may appoint staff as funding within existing budgets allows.

(c) The office may consolidate energy staff and functions existing in the state energy program.

(3) The purposes of the office are to:

(a) serve as the primary resource for advancing energy and mineral development in the state;

(b) implement:

(i) the state energy policy under Section 79-6-301; and

(ii) the governor's energy and mineral development goals and objectives;

(c) advance energy education, outreach, and research, including the creation of elementary, higher education, and technical college energy education programs;

(d) promote energy and mineral development workforce initiatives; [and]

(e) support collaborative research initiatives targeted at Utah-specific energy and mineral development[:]:

(f) in coordination with the Department of Environmental Quality and other relevant state agencies:

(<u>ff</u>) develop effective policy strategies to advocate for and protect the state's interests relating to federal energy and environmental entities, programs, and regulations;

(g) coordinate the funding of legal effort to combat federal overreach and unreasonable delays regarding energy and environmental permitting;

{processes}process by:

(<u>{i}A</u>) advocating for positive reform of federal energy and environmental regulations and permitting;

(fii)B) coordinating with other states to develop joint advocacy strategies; and

(fiii)C) conducting other government relations efforts; and

(iii) direct the funding of legal effort to combat federal overreach and unreasonable delays regarding energy and environmental permitting; and

(firg) fund the development of detailed and accurate forecasts of the state's long-term energy supply and demand, including a baseline projection of expected supply and demand and analysis of potential alternative scenarios.

(4) By following the procedures and requirements of Title 63J, Chapter 5, Federal Funds Procedures Act, the office may:

(a) seek federal grants or loans;

(b) seek to participate in federal programs; and

(c) in accordance with applicable federal program guidelines, administer federally funded state energy programs.

(5) The office shall perform the duties required by Sections 11-42a-106, 59-5-102,59-7-614.7, 59-10-1029, 63C-26-202, Part 5, Alternative Energy Development Tax Credit Act, and Part 6, High Cost Infrastructure Development Tax Credit Act.

(6) (a) For purposes of administering this section, the office may make rules, by following Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to maintain as confidential, and not as a public record, information that the office receives from any source.

(b) The office shall maintain information the office receives from any source at the level of confidentiality assigned by the source.

(7) The office may charge application, filing, and processing fees in amounts determined by the office in accordance with Section 63J-1-504 as dedicated credits for performing office duties described in this part.

(8) (a) An employee of the office is an at-will employee.

(b) For an employee of the office on July 1, 2021, the employee shall have the same salary and benefit options the employee had when the office was part of the office of the governor.

(9) (a) The office shall prepare a strategic energy plan to achieve the state's energy policy, including:

(i) technological and infrastructure innovation needed to meet future energy demand including:

(A) energy production technologies;

(B) battery and storage technologies;

(C) smart grid technologies;

(D) energy efficiency technologies; and

(E) any other developing energy technology, energy infrastructure planning, or

investments that will assist the state in meeting energy demand;

(ii) the state's efficient [utilization] use and development of:

(A) [nonrenewable] energy resources, including natural gas, coal, clean coal, hydrogen, oil, oil shale, and oil sands;

(B) renewable energy resources, including geothermal, solar, hydrogen, wind, biomass, biofuel, and hydroelectric;

(C) nuclear power; and

(D) earth minerals;

(iii) areas of energy-related academic research;

(iv) specific areas of workforce development necessary for an evolving energy

industry;

(v) the development of partnerships with national laboratories; and

(vi) a proposed state budget for economic development and investment.

(b) In preparing the strategic energy plan, the office shall:

(i) consult with stakeholders, including representatives from:

[(i)] (A) energy companies in the state;

[(ii)] (B) private and public institutions of higher education within the state conducting energy-related research; and

[(iii)] (C) other state agencies[-];

({D}ii) use modeling and industry standard data to:

(<u>{</u>]<u>A</u>) define the energy services required by a growing economy;

(<u>{III}C</u>) develop state strategy for <u>energy</u> transportation, <u>including</u> transmission <u>{line}lines</u>, <u>{pipeline}pipelines</u>, and other infrastructure needs;

(<u>{IV}D</u>) optimize investments to meet energy needs at the least cost and least risk while meeting the policy outlined in this section; and

 $(\{\forall\}E\}$ address state needs and investments through a prospective 30-year period, divided into five-year working plans; and

 $(\{E\}F\}$ update the plan at least every two years.

(c) On or before the October 2023 interim meeting, the office shall report to the Public Utilities, Energy, and Technology Interim Committee and the Executive AppropriationsInterim Committee describing:

(i) progress towards creation of the strategic energy plan; and

(ii) a proposed budget for the office to continue development of the strategic energy plan.

(10) The office shall include best practices in developing actionable goals and recommendations as part of preparing and updating every two years the strategic energy plan required under Subsection (9).

(11) The office shall maintain and regularly update a public website that provides an accessible dashboard of relevant metrics and reports and make available the data used to create the strategic energy plan.

Section 3. Effective date.

This bill takes effect on May 1, 2024.