

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

SENATE BILL 1853

By: David

AS INTRODUCED

An Act relating to the Corporation Commission;  
creating hydrogen fuel production standard;  
establishing provisions for reporting of hydrogen  
fuel production; defining term; and providing an  
effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 801.9 of Title 17, unless there  
is created a duplication in numbering, reads as follows:

A. The State of Oklahoma shall set a hydrogen fuel production  
standard that will serve as an annual goal to be reached each year  
through 2028 to increase the production of hydrogen fuel in the  
state. Such hydrogen fuel production standard shall be to produce  
Two Million Metric Tons (2 MMT) of hydrogen fuel using a low or zero  
carbon source of energy annually by 2028.

B. Every qualified hydrogen fuel production facility that  
produces hydrogen fuel in this state shall report to the Corporation  
Commission by March 1 each year the amount of hydrogen fuel produced

1 in the preceding calendar year and the low or zero carbon source of  
2 energy used to produce the hydrogen fuel. The Commission shall  
3 begin collecting the reports no later than March 1, 2024, and shall  
4 report annually to the President Pro Tempore of the Senate, the  
5 Speaker of the House of Representatives, and the Governor the annual  
6 hydrogen fuel production amount produced by qualified hydrogen  
7 production facilities for the preceding calendar year, gathered from  
8 reports submitted pursuant to this subsection, no later than May 1  
9 of the first year of collection and each year thereafter. The  
10 Commission shall promulgate rules to effectuate the provisions of  
11 this subsection.

12 C. For purposes of this section, qualifying hydrogen fuel  
13 production shall include:

14 1. Hydrogen fuel produced from low carbon sources such as  
15 natural gas;

16 2. Hydrogen fuel produced from zero carbon sources such as:

17 a. wind,

18 b. photovoltaic,

19 c. hydropower,

20 d. geothermal, and

21 e. biomass, which projects may include agricultural  
22 crops, wastes, and residues, wood, animal, and other  
23 degradable organic wastes, municipal solid waste, and  
24 landfill gas; and

1 3. Other low or zero carbon sources approved by the Commission.

2 SECTION 2. This act shall become effective November 1, 2022.

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