

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 ENGROSSED SENATE
5 BILL NO. 19

 By: Burns, Bullard, and Rogers
 of the Senate

6 and

7 Caldwell (Trey) of the
8 House

9 An Act relating to carbon capture technologies;
10 defining terms; requiring energy produced from
11 certain sources be considered carbon neutral;
12 requiring energy produced from certain sources in
13 conjunction with carbon capture technologies be
14 considered carbon negative; providing for
15 codification; and providing an effective date.

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 3-5-111 of Title 27A, unless
19 there is created a duplication in numbering, reads as follows:

20 A. As used in this section:

21 1. "Biomass" means bioenergy feedstocks from forest products
22 manufacturing, which may include but not be limited to:

23 a. forest products' manufacturing residuals including but
24 not limited to spent pulping liquors, pulping by-
 products, woody manufacturing residuals, paper
 recycling residuals, wastewater and process water

- 1 treatment plant residuals, and anaerobic digester
2 biogas,
- 3 b. harvest residues, including trees or portions of
4 harvested trees that are too small or too poor of
5 quality to be utilized for wood or paper products,
- 6 c. downed wood from extreme weather events or natural
7 disasters, nonhazardous landscape or right-of-way
8 trimmings and municipal trimmings, and plant material
9 removed for purposes of invasive or noxious plant
10 species control,
- 11 d. biowaste, including landfill gas,
- 12 e. forest biomass derived from residues created as a by-
13 product of timber harvesting,
- 14 f. forest management activities conducted for strand
15 improvement or to increase yield, ecological
16 restoration, or to maintain or enhance forest health,
- 17 g. biomass materials recognized by the United States
18 Environmental Protection Agency as fuels under 40 CFR
19 part 241.4, and
- 20 h. other used wood products, such as crates or pallets;

21 2. "Bagasse biomass" means the solid, heterogeneous, and
22 fibrous agricultural waste that remains after extracting the liquid
23 from sugarcane stalks. Such waste may derive from:
24

1 a. factory bagasse, obtained from the industrial
2 extraction process, containing only trace amounts of
3 sugarcane liquid, or

4 b. pressed cane stalks or farm bagasse, obtained from on-
5 farm or small factory extraction, containing
6 comparatively higher amounts of sugarcane liquid; and

7 3. "Bioenergy with carbon capture and storage" means the
8 process of capturing and permanently storing carbon dioxide from
9 biomass energy generation.

10 B. Energy produced from bioenergy feedstocks from forest
11 products manufacturing shall be considered renewable and carbon
12 neutral. When bioenergy is paired with carbon capture and storage,
13 as described in paragraph 3 of subsection A of this section, such
14 energy shall be considered carbon negative.

15 C. Energy produced from agricultural harvesting, including
16 bagasse produced from sugarcane processing shall be considered
17 renewable and carbon neutral. When paired with carbon capture
18 technologies, as defined in paragraph 3 of subsection A of this
19 section, such energy shall be considered carbon negative.

20 SECTION 2. This act shall become effective November 1, 2023.

21
22 COMMITTEE REPORT BY: COMMITTEE ON ENERGY AND NATURAL RESOURCES,
23 dated 04/05/2023 - DO PASS.
24