

SENATE FLOOR VERSION

February 9, 2023

SENATE BILL NO. 19

By: Burns and Bullard

An Act relating to carbon capture technologies; defining terms; requiring energy produced from certain sources be considered carbon neutral; requiring energy produced from certain sources in conjunction with carbon capture technologies be considered carbon negative; providing for codification; 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 3-5-111 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

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

a. forest products' manufacturing residuals including but not limited to spent pulping liquors, pulping by-products, woody manufacturing residuals, paper recycling residuals, wastewater and process water treatment plant residuals, and anaerobic digester biogas,

- b. harvest residues, including trees or portions of harvested trees that are too small or too poor of quality to be utilized for wood or paper products,
- c. downed wood from extreme weather events or natural disasters, nonhazardous landscape or right-of-way trimmings and municipal trimmings, and plant material removed for purposes of invasive or noxious plant species control,
- d. biowaste, including landfill gas,
- e. forest biomass derived from residues created as a by-product of timber harvesting,
- f. forest management activities conducted for strand improvement or to increase yield, ecological restoration, or to maintain or enhance forest health,
- g. biomass materials recognized by the United States Environmental Protection Agency as fuels under 40 CFR part 241.4, and
- h. other used wood products, such as crates or pallets;

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

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

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

4 3. "Bioenergy with carbon capture and storage" means the
5 process of capturing and permanently storing carbon dioxide from
6 biomass energy generation.

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

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

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

18 COMMITTEE REPORT BY: COMMITTEE ON ENERGY AND TELECOMMUNICATIONS
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