HOUSE BILL 166

M5, C5 4lr0582 **CF SB 146** (PRE-FILED)

By: Delegates Stewart, Boafo, Charkoudian, Foley, Hill, Lehman, R. Lewis, Palakovich Carr, Ruth, Solomon, Stein, and Terrasa

Requested: September 5, 2023 Introduced and read first time: January 10, 2024 Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

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Renewable Energy Portfolio Standard – Eligible Sources – Alterations (Reclaim Renewable Energy Act of 2024)

4 FOR the purpose of altering the definition of "Tier 1 renewable source" for purposes of excluding energy derived from waste and refuse from being eligible for inclusion in $\mathbf{5}$ 6 the renewable energy portfolio standard; and generally relating to the renewable 7 energy portfolio standard.

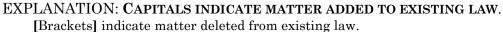
- 8 BY repealing and reenacting, without amendments,
- 9 Article – Public Utilities
- 10 Section 7-701(a)
- 11 Annotated Code of Maryland
- (2020 Replacement Volume and 2023 Supplement) 12
- 13BY repealing and reenacting, with amendments,
- 14 Article – Public Utilities
- Section 7-701(s) and 7-704(a)15
- Annotated Code of Maryland 16
- (2020 Replacement Volume and 2023 Supplement) 17

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 18

- 19That the Laws of Maryland read as follows:
- 20

Article – Public Utilities

- 217 - 701.
- 22(a) In this subtitle the following words have the meanings indicated.





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$\frac{1}{2}$	(s) sources:	"Tier	1 renewable source" means one or more of the following types of energy
$\frac{3}{4}$	(1) solar energy, including energy from photovoltaic technologies and solar water heating systems;		
5		(2)	wind;
6		(3)	qualifying biomass;
7 8	landfill or w	(4) vastewa	methane from the anaerobic decomposition of organic materials in a ater treatment plant;
9 10	from or ther	(5) rmal er	geothermal, including energy generated through geothermal exchange nergy avoided by, groundwater or a shallow ground source;
$\begin{array}{c} 11 \\ 12 \end{array}$	differences;	(6)	ocean, including energy from waves, tides, currents, and thermal
13 14	under item	(7) (3) or (a fuel cell that produces electricity from a Tier 1 renewable source 4) of this subsection;
$\begin{array}{c} 15\\ 16 \end{array}$	that is licen	(8) sed or	a small hydroelectric power plant of less than 30 megawatts in capacity exempt from licensing by the Federal Energy Regulatory Commission;
17		(9)	poultry litter-to-energy;
18		(10)	[waste-to-energy;
19		(11)	refuse-derived fuel;
20		(12)]	thermal energy from a thermal biomass system; and
$\begin{array}{c} 21 \\ 22 \end{array}$	[(13)] (11) raw or treated wastewater used as a heat source or sink for a heating or cooling system.		
23	7-704.		
24	(a)	(1)	Energy from a Tier 1 renewable source:
$\begin{array}{c} 25\\ 26 \end{array}$	standard re	gardle	(i) is eligible for inclusion in meeting the renewable energy portfolio so of when the generating system or facility was placed in service; and
$\begin{array}{c} 27\\ 28 \end{array}$	for either Ti	er 1 re	(ii) may be applied to the percentage requirements of the standard enewable sources or Tier 2 renewable sources.

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1 (2) (i) Energy from a Tier 1 renewable source under § 7–701(s)(1), (5), 2 OR (9)[, (10), or (11)] of this subtitle is eligible for inclusion in meeting the renewable energy 3 portfolio standard only if the source is connected with the electric distribution grid serving 4 Maryland.

5 (ii) Energy from a Tier 1 renewable source under [§ 7-701(s)(13)] §
6 7-701(S)(11) of this subtitle is eligible for inclusion in meeting the renewable energy
7 portfolio standard only if the source:

- 8 1. is connected with the electric distribution grid serving 9 Maryland; or
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2. processes wastewater from Maryland residents.

(iii) If the owner of a solar generating system in this State chooses to sell solar renewable energy credits from that system, the owner must first offer the credits for sale to an electricity supplier or electric company that shall apply them toward compliance with the renewable energy portfolio standard under § 7–703 of this subtitle.

15 (3) Energy from a Tier 1 renewable source under § 7–701(s)(8) of this 16 subtitle is eligible for inclusion in meeting the renewable energy portfolio standard if it is 17 generated at a dam that existed as of January 1, 2004, even if a system or facility that is 18 capable of generating electricity did not exist on that date.

19 (4) Energy from a Tier 2 renewable source under § 7–701(t) of this subtitle 20 is eligible for inclusion in meeting the renewable energy portfolio standard if it is generated 21 at a system or facility that existed and was operational as of January 1, 2004, even if the 22 facility or system was not capable of generating electricity on that date.

SECTION 2. AND BE IT FURTHER ENACTED, That a presently existing obligation
 or contract right may not be impaired in any way by this Act.

25 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall apply to all 26 renewable energy portfolio standard compliance years starting on or after January 1, 2024.

27 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect 28 October 1, 2024.