

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 13-0025.01 Chuck Brackney x2295

SENATE BILL 13-003

SENATE SPONSORSHIP

Baumgardner,

HOUSE SPONSORSHIP

Coram, Sonnenberg

Senate Committees
State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 CONCERNING METHANE GAS CAPTURED FROM ACTIVE AND INACTIVE
102 COAL MINES.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill establishes a greenhouse gas mitigation project involving the capture of coal mine methane gas from active and inactive coal mines. Each kilowatt-hour of energy generated by captured coal mine methane gas is counted as one kilowatt-hour for purposes of compliance with the renewable energy standard.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 40-2-124.5 as
3 follows:

4 **40-2-124.5. Greenhouse gas mitigation projects - coal mine**
5 **methane gas - legislative declaration - definition.** (1) THE GENERAL
6 ASSEMBLY FINDS, DETERMINES, AND DECLARES THAT THE CAPTURE OF
7 COAL MINE METHANE GAS PROVIDES MANY BENEFITS TO COLORADO
8 CITIZENS BY MAKING BENEFICIAL USE OF A SOURCE OF ENERGY THAT
9 WOULD OTHERWISE BE WASTED, REDUCING GREENHOUSE GAS EMISSIONS,
10 AND PROVIDING NEW JOBS AND REVENUES TO LOCAL COMMUNITIES.

11 (2) AS USED IN THIS SECTION, "COAL MINE METHANE GAS" MEANS
12 THE GREENHOUSE GAS METHANE CAPTURED FROM ACTIVE AND INACTIVE
13 COAL MINES WHERE IT IS DETERMINED THAT THE METHANE IS ESCAPING TO
14 THE ATMOSPHERE. AT ACTIVE MINES, ONLY METHANE VENTED IN THE
15 NORMAL COURSE OF MINE OPERATIONS AND SAFETY PROCEDURES, AND, AT
16 INACTIVE MINES, ONLY METHANE THAT IS NATURALLY ESCAPING TO THE
17 ATMOSPHERE, IS COAL MINE METHANE GAS. THE CAPTURE AND
18 COMBUSTION OF COAL MINE METHANE GAS AS A CLEAN ENERGY SOURCE
19 MAY BE VERIFIED BY A QUALIFIED THIRD PARTY FOLLOWING ESTABLISHED
20 CARBON OFFSET PROTOCOLS FOR CLIMATE PROTECTION.

21 (3) EACH KILOWATT-HOUR OF ELECTRICITY GENERATED FROM
22 COAL MINE METHANE GAS IS COUNTED AS ONE KILOWATT-HOUR FOR
23 PURPOSES OF COMPLIANCE WITH THE RENEWABLE ENERGY STANDARD
24 UNDER SECTION 40-2-124 AS AN ELIGIBLE ENERGY RESOURCE; EXCEPT
25 THAT THE TOTAL AMOUNT OF ELECTRICITY GENERATED BY COAL MINE
26 METHANE GAS TO BE COUNTED TOWARD COMPLIANCE WITH THE

1 RENEWABLE ENERGY STANDARD ESTABLISHED IN SECTION 40-2-124 MUST
2 NOT EXCEED FIFTY MEGAWATTS OF NAMEPLATE CAPACITY.

3 **SECTION 2. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly (August
6 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a
7 referendum petition is filed pursuant to section 1 (3) of article V of the
8 state constitution against this act or an item, section, or part of this act
9 within such period, then the act, item, section, or part will not take effect
10 unless approved by the people at the general election to be held in
11 November 2014 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.