

1 ENGROSSED SENATE
2 BILL NO. 1853

By: David of the Senate

3 and

4 McBride of the House

5
6 An Act relating to the Corporation Commission;
7 creating hydrogen fuel production standard;
8 establishing provisions for reporting of hydrogen
9 fuel production; defining term; and providing an
10 effective date.

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

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

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

21 B. Every qualified hydrogen fuel production facility that
22 produces hydrogen fuel in this state shall report to the Corporation
23 Commission by March 1 each year the amount of hydrogen fuel produced
24 in the preceding calendar year and the low or zero carbon source of
energy used to produce the hydrogen fuel. The Commission shall

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

10 C. For purposes of this section, qualifying hydrogen fuel
11 production shall include:

12 1. Hydrogen fuel produced from low carbon sources such as
13 natural gas;

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

15 a. wind,

16 b. photovoltaic,

17 c. hydropower,

18 d. geothermal, and

19 e. biomass, which projects may include agricultural

20 crops, wastes, and residues, wood, animal, and other

21 degradable organic wastes, municipal solid waste, and

22 landfill gas; and

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

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

