

An Act

ENROLLED SENATE
BILL NO. 19

By: Burns, Bullard, and Rogers
of the Senate

and

Caldwell (Trey) of the
House

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.

SUBJECT: Carbon capture technologies

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

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

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

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

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

Passed the Senate the 20th day of March, 2023.

Presiding Officer of the Senate

Passed the House of Representatives the 17th day of April, 2023.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____