

Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 147

AN ACT to amend the Indiana Code concerning utilities.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 8-1-8.8-10, AS AMENDED BY P.L.13-2013, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 10. (a) As used in this chapter "renewable energy resources" means the following:

(1) A clean energy resource listed in:

(A) IC 8-1-37-4(a)(1) through IC 8-1-37-4(a)(16); or

(B) **IC 8-1-37-4(a)(22)**.

(2) Low temperature, oxygen starved gasification of municipal solid waste.

(3) Methane recovered from landfills for the production of electricity.

(b) Except for energy described in subsection (a)(2) and IC 8-1-37-4(a)(9), the term does not include energy from the incinerations, burning, or heating of any of the following:

(1) Tires.

(2) General household, institutional, commercial, industrial lunchroom, office, or landscape waste.

(c) The term excludes treated or painted lumber.

SECTION 2. IC 8-1-8.8-14, AS AMENDED BY P.L.53-2014, SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 14. The group shall conduct an annual study on the:

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- (1) use of;
- (2) availability of; and
- (3) economics of using;

in Indiana the clean energy resources listed in IC 8-1-37-4(a)(1) through IC 8-1-37-4(a)(6) **and in IC 8-1-37-4(a)(22)**. The commission may direct the group to study additional clean energy resources as the commission considers appropriate. Each year, the group shall submit a report on the study to the commission for inclusion in the commission's annual report to the interim study committee on energy, utilities, and telecommunications established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6. The commission shall direct the group concerning the appropriate level of detail for the report. The report must include suggestions from the group to encourage the development and use of clean energy resources and technologies appropriate for use in Indiana.

SECTION 3. IC 8-1-37-4, AS ADDED BY P.L.150-2011, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 4. (a) As used in this chapter, "clean energy resource" means any of the following sources, clean sources, alternative technologies, or programs used in connection with the production or conservation of electricity:

- (1) Energy from wind.
- (2) Solar energy.
- (3) Photovoltaic cells and panels.
- (4) Dedicated crops grown for energy production.
- (5) Organic waste biomass, including any of the following organic matter that is available on a renewable basis:
 - (A) Agricultural crops.
 - (B) Agricultural wastes and residues.
 - (C) Wood and wood wastes, including the following:
 - (i) Wood residues.
 - (ii) Forest thinnings.
 - (iii) Mill residue wood.
 - (D) Animal wastes.
 - (E) Animal byproducts.
 - (F) Aquatic plants.
 - (G) Algae.
- (6) Hydropower.
- (7) Fuel cells.
- (8) Hydrogen.
- (9) Energy from waste to energy facilities, including energy derived from advanced solid waste conversion technologies.



- (10) Energy storage systems or technologies.
- (11) Geothermal energy.
- (12) Coal bed methane.
- (13) Industrial byproduct technologies that use fuel or energy that is a byproduct of an industrial process.
- (14) Waste heat recovery from capturing and reusing the waste heat in industrial processes for heating or for generating mechanical or electrical work.
- (15) A source, technology, or program approved by the commission and designated as a clean energy resource by a rule adopted by the commission under IC 4-22-2.
- (16) Demand side management or energy efficiency initiatives that:
 - (A) reduce electricity consumption; or
 - (B) implement load management, demand response, or energy efficiency measures designed to shift customers' electric loads from periods of higher demand to periods of lower demand; as a result of equipment installed, or customers enrolled, after January 1, 2010.
- (17) A clean energy project described in IC 8-1-8.8-2(1).
- (18) Nuclear energy.
- (19) Electricity that is:
 - (A) generated by a customer owned distributed generation facility that is interconnected to the electricity supplier's distribution system in accordance with the commission's interconnection standards set forth in 170 IAC 4-4.3; and
 - (B) supplied back to the electricity supplier for use in meeting the electricity supplier's electricity demand requirements in accordance with the commission's net metering rules set forth in 170 IAC 4-4.2.
- (20) Combined heat and power systems.
- (21) Electricity that is generated from natural gas at a facility constructed in Indiana after July 1, 2011, which displaces electricity generation from an existing coal fired generation facility.
- (22) Underground pumped storage hydropower using:**
 - (A) abandoned coal mines;**
 - (B) abandoned quarries; or**
 - (C) other suitable sites;****located in Indiana.**

(b) Except for energy described in subsection (a)(9), the term does not include energy from the incineration, burning, or heating of any of



the following:

- (1) Tires.
- (2) General household, institutional, commercial, industrial, lunchroom, office, or landscape waste.
- (c) The term excludes treated or painted lumber.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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