



General Assembly

January Session, 2023

Raised Bill No. 6851

LCO No. 5210



Referred to Committee on ENERGY AND TECHNOLOGY

Introduced by:

(ET)

AN ACT IMPLEMENTING RECOMMENDATIONS OF THE HYDROGEN TASK FORCE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2023*) (a) On or before December 31,
2 2024, the Department of Energy and Environmental Protection shall
3 develop and approve a clean hydrogen strategic plan. The clean
4 hydrogen strategic plan shall include recommendations for policies,
5 programs and regulations to grow the state's clean hydrogen economy,
6 consistent with the greenhouse gas reduction goals established in
7 section 22a-200a of the general statutes, the Integrated Resources Plan
8 approved pursuant to section 16a-3a of the general statutes and the
9 Comprehensive Energy Strategy prepared pursuant to section 16a-3d of
10 the general statutes. The strategic plan shall (1) prioritize the application
11 of clean hydrogen for end uses and sectors within the state that are the
12 most difficult to transition to being operated using electricity, and (2)
13 describe the current and projected cost differences between powering
14 such end uses and sectors with clean hydrogen compared to fossil fuels.

15 (b) Not later than December 31, 2024, the Department of Energy and

16 Environmental Protection shall adopt regulations in accordance with
17 the provisions of chapter 54 of the general statutes defining "clean
18 hydrogen" for purposes of this section.

19 Sec. 2. Subsection (a) of section 31-53d of the general statutes is
20 repealed and the following is substituted in lieu thereof (*Effective July 1,*
21 *2023*):

22 (a) As used in this section, unless the context otherwise requires:

23 (1) "Covered project" means a renewable energy project that is
24 situated on land in this state, commences construction on or after July 1,
25 2021, and has a total nameplate capacity of two megawatts or more, or
26 a clean hydrogen project. "Covered project" does not include (A) any
27 renewable energy project (i) selected in a competitive solicitation
28 conducted by (I) the Department of Energy and Environmental
29 Protection, or (II) an electric distribution company, as defined in section
30 16-1, and (ii) approved by the Public Utilities Regulatory Authority
31 prior to January 1, 2022, or (B) any renewable energy project under
32 contract with another entity and approved by the relevant regulatory
33 authority, as applicable, prior to January 1, 2022;

34 (2) "Renewable energy project" means a Class I renewable energy
35 source, as defined in section 16-1. "Renewable energy project" does not
36 include any offshore wind facility procured pursuant to section 16a-3h,
37 16a-3m or 16a-3n;

38 (3) "Clean hydrogen project" means any project that produces,
39 processes, transports, stores or uses clean hydrogen, as defined in
40 regulations adopted by the Department of Energy and Environmental
41 Protection pursuant to section 1 of this act;

42 [(3)] (4) "Community benefits agreement" means an agreement
43 between (A) the developer of a covered project, and (B) community-
44 based organizations or a coalition of such organizations, that details the
45 project's contributions to the community in which it is or will be sited
46 and the aspects of the project that will mitigate adverse conditions of

47 such community and create opportunities for local businesses,
48 communities and workers;

49 [(4)] (5) "Labor organization" means any organization, other than a
50 company union, that exists for the purpose, in whole or in part, of
51 collective bargaining or of dealing with employers concerning
52 grievances, terms or conditions of employment, or of other mutual aid
53 or protection, including, but not limited to, (A) bona fide labor
54 organizations that are certified or recognized as the organization of
55 jurisdiction representing the workers involved, (B) bona fide building
56 and construction trades councils or district councils, and (C) state and
57 local labor federations comprised of local unions certified or recognized
58 as the representative of the workers; and

59 [(5)] (6) "Workforce development program" means a program
60 pursuant to which newly hired employees and existing employees are
61 given the opportunity to develop skills that will enable such employees
62 to qualify for higher paying jobs on a covered project. A workforce
63 development program includes: (A) Apprenticeship training through
64 an apprenticeship program registered with the Labor Department or a
65 federally recognized state apprenticeship agency that complies with the
66 requirements under 29 CFR 29 and 29 CFR 30, as each may be amended
67 from time to time, and (B) [preapprenticeship] pre-apprenticeship
68 training that will enable students to qualify for registered
69 apprenticeship training.

70 Sec. 3. (NEW) (*Effective from passage*) (a) The Commissioner of Energy
71 and Environmental Protection shall, in consultation with the Governor,
72 Lieutenant Governor, Secretary of the State, Comptroller and Attorney
73 General, seek opportunities for federal funding of projects or activities
74 that advance clean hydrogen in the state.

75 (b) If the Department of Energy and Environmental Protection
76 accepts an award of federal funds to implement projects or activities that
77 advance clean hydrogen in the state, the Commissioner of Energy and
78 Environmental Protection, or the commissioner's designee, shall notify

79 the Commissioner of Economic and Community Development of such
80 acceptance. Not later than ninety days after receiving such notice, the
81 Commissioner of Economic and Community Development shall award
82 a grant to the Department of Energy and Environmental Protection in
83 an amount equal to not more than twenty million dollars, or the state's
84 share of the programs or activities, as determined by the Commissioner
85 of Economic and Community Development, required to meet the
86 matching requirements of the federal acts making the funds available to
87 the state, whichever is less.

88 Sec. 4. Subdivision (117) of section 12-412 of the general statutes is
89 repealed and the following is substituted in lieu thereof (*Effective July 1,*
90 *2023*):

91 (117) (A) Sales and use of solar energy electricity generating systems,
92 [and] passive or active solar water or space heating systems, [and]
93 geothermal resource systems, and clean hydrogen projects, as defined
94 in section 31-53d, as amended by this act, including equipment related
95 to such systems or projects, and sales of services relating to the
96 installation of such systems or projects.

97 (B) Sales of and the storage, use or other consumption of machinery,
98 equipment, tools, materials, supplies and fuel used directly in the
99 renewable energy and clean energy technology industries. As used in
100 this subdivision, "renewable energy and clean energy technology
101 industries" means industries that apply technologies to produce,
102 improve or develop solar energy electricity generating systems, passive
103 or active solar water or space heating systems, geothermal resource
104 systems, [and] wind power electric generation systems, or clean
105 hydrogen projects, as defined in section 31-53d, as amended by this act,
106 including equipment related to such systems or projects.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2023</i>	New section
Sec. 2	<i>July 1, 2023</i>	31-53d(a)

Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>July 1, 2023</i>	12-412(117)

Statement of Purpose:

To implement recommendations of the hydrogen task force.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]