



General Assembly

Substitute Bill No. 6851

January Session, 2023



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
2 31, 2024, the Department of Energy and Environmental Protection shall
3 develop and approve a hydrogen strategic plan. The hydrogen
4 strategic plan shall include recommendations for policies, programs
5 and regulations to grow the state's hydrogen economy, consistent with
6 the greenhouse gas reduction goals established in section 22a-200a of
7 the general statutes, the Integrated Resources Plan approved pursuant
8 to section 16a-3a of the general statutes and the Comprehensive
9 Energy Strategy prepared pursuant to section 16a-3d of the general
10 statutes. The strategic plan shall (1) encourage the use of hydrogen
11 produced from renewable energy, (2) prioritize the application of
12 hydrogen produced from renewable energy to aviation, maritime
13 shipping, ferry transportation, heavy-duty trucking and high-
14 temperature industrial processes, and (3) describe the current and
15 projected cost differences between powering such sectors and
16 processes with hydrogen produced from renewable energy compared
17 to powering such sectors and processes with fossil fuels.

18 (b) Not later than December 31, 2024, the Department of Energy and
19 Environmental Protection shall adopt regulations, in accordance with

20 the provisions of chapter 54 of the general statutes, defining "clean
21 hydrogen" for purposes of section 31-53d of the general statutes, as
22 amended by this act.

23 Sec. 2. Subsection (a) of section 31-53d of the general statutes is
24 repealed and the following is substituted in lieu thereof (*Effective July*
25 *1, 2023*):

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

27 (1) "Covered project" means a renewable energy project [that is
28 situated on land in this state, commences construction on or after July
29 1, 2021, and has] with a total nameplate capacity of two megawatts or
30 more that is situated on land in the state, or, on and after January 1,
31 2025, a clean hydrogen project. "Covered project" does not include (A)
32 any renewable energy project (i) selected in a competitive solicitation
33 conducted by (I) the Department of Energy and Environmental
34 Protection, or (II) an electric distribution company, as defined in
35 section 16-1, and (ii) approved by the Public Utilities Regulatory
36 Authority prior to January 1, 2022, [or] (B) any renewable energy
37 project under contract with another entity and approved by the
38 relevant regulatory authority, as applicable, prior to January 1, 2022, or
39 (C) any renewable energy project that commenced construction before
40 July 1, 2021;

41 (2) "Renewable energy project" means a Class I renewable energy
42 source, as defined in section 16-1. "Renewable energy project" does not
43 include any offshore wind facility procured pursuant to section 16a-3h,
44 16a-3m or 16a-3n;

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

49 [(3)] (4) "Community benefits agreement" means an agreement
50 between (A) the developer of a covered project, and (B) community-

51 based organizations or a coalition of such organizations, that details
52 the project's contributions to the community in which it is or will be
53 sited and the aspects of the project that will mitigate adverse
54 conditions of such community and create opportunities for local
55 businesses, communities and workers;

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

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

77 Sec. 3. (NEW) (*Effective from passage*) The Commissioner of Energy
78 and Environmental Protection shall, in consultation with the Governor,
79 the Secretary of the Office of Policy and Management and the
80 Commissioner of Economic and Community Development, seek
81 opportunities for federal funding of projects or activities that advance
82 clean hydrogen in the state. The Commissioner of Economic and
83 Community Development shall identify the state's share of the projects

84 or activities required to meet the matching requirements of the federal
85 acts making the funds available to the state. The Commissioner of
86 Economic and Community Development is authorized to transfer
87 funds appropriated to the Department of Economic and Community
88 Development and the Commissioner of Energy and Environmental
89 Protection is authorized to accept such funds for the purpose of
90 funding the state's share identified pursuant to this section.

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

ET *Joint Favorable Subst.*