

# Senate Bill 721

Sponsored by Senator GIROD (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Removes prohibition on Energy Facility Siting Council issuing site certificate for new generating facility that would produce energy from natural gas and emit greenhouse gas. Removes prohibition on council approving amendment to site certificate for generating facility that would produce energy from natural gas when approval would increase carbon dioxide emissions from operation of generating facility.

## A BILL FOR AN ACT

1  
2 Relating to energy generating facilities that use fossil fuels; amending ORS 469.413.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 469.413 is amended to read:

5 469.413. (1) Notwithstanding ORS 469.320 and 469.405, **and except as provided in subsection**  
6 **(2) of this section**, the Energy Facility Siting Council may not:

7 [(1)] (a) Issue a site certificate for a new generating facility that produces electric power from  
8 fossil fuels, including [*natural gas,*] petroleum, coal or any form of solid, liquid or gaseous fuel de-  
9 rived from such material, unless the council determines that a new generating facility will generate  
10 only nonemitting electricity as defined in ORS 469A.400; or

11 [(2)] (b) Approve the amendment of a site certificate for an energy facility described under  
12 [*subsection (1) of this section*] **paragraph (a) of this subsection** that was granted prior to September  
13 25, 2021, in a manner that would significantly increase the gross carbon dioxide emissions that are  
14 reasonably likely to result from the operation of the energy facility.

15 **(2) This section does not apply to a new or existing generating facility that produces**  
16 **electric power from natural gas.**

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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.