

Requested by SENATE COMMITTEE ON ENERGY AND ENVIRONMENT

**PROPOSED AMENDMENTS TO
SENATE BILL 124**

1 On page 1 of the printed bill, delete lines 5 through 10 and insert:

2 “(a)(A) ‘Green electrolytic hydrogen’ means hydrogen produced through
3 electrolysis using:

4 “(i) A renewable energy source as defined in ORS 469A.005;

5 “(ii) Nonemitting electricity that is not derived from a fossil fuel; or

6 “(iii) Electricity that has a carbon intensity that is equal to or less than
7 the average carbon intensity of the electricity served in this state in the
8 calendar year in which construction or expansion of the facility that
9 produces the green electrolytic hydrogen began.

10 “(B) ‘Green electrolytic hydrogen’ does not include hydrogen manufac-
11 tured using any conversion technology or steam reforming that produces
12 hydrogen from a fossil fuel feedstock.

13 “(b) ‘Nonemitting electricity’ has the meaning given that term in ORS
14 469A.400.

15 “(c) ‘Renewable hydrogen’ means hydrogen produced using:

16 “(A) A renewable energy source as defined in ORS 469A.005;

17 “(B) Nonemitting electricity that is not derived from a fossil fuel; or

18 “(C) Electricity that has a carbon intensity that is equal to or less than
19 the average carbon intensity of the electricity served in this state in the
20 calendar year in which construction or expansion of the facility that
21 produces the renewable hydrogen began.”.

1 In line 11, delete “(c)” and insert “(d)”.

2 On page 2, delete lines 9 through 13 and insert:

3 **“SECTION 3. (1) As used in this section, ‘green electrolytic hydro-**
4 **gen,’ ‘renewable hydrogen’ and ‘renewable hydrogen-fueled generator’**
5 **have the meanings given those terms in section 1 of this 2023 Act.**

6 **“(2) For the calendar year in which a grant recipient receives a**
7 **grant award under section 1 of this 2023 Act and for each of the three**
8 **following calendar years, the grant recipient shall submit to the De-**
9 **partment of Environmental Quality:**

10 **“(a) A report on the total amount of green electrolytic hydrogen**
11 **and renewable hydrogen purchased in that year for the renewable**
12 **hydrogen-fueled generator or generators purchased, leased or acquired**
13 **using the grant award moneys; and**

14 **“(b) A declaration stating that no fuel other than green electrolytic**
15 **hydrogen or renewable hydrogen were used during that year for the**
16 **operation of the renewable hydrogen-fueled generator or generators**
17 **purchased, leased or acquired using the grant award moneys.**

18 **“(3) A grant recipient is exempt from the requirements of sub-**
19 **section (2) of this section if:**

20 **“(a) The total amount of green electrolytic hydrogen and renewable**
21 **hydrogen purchased in that year for the renewable hydrogen-fueled**
22 **generator or generators purchased, leased or acquired using the grant**
23 **award moneys is less than 50 kilograms; and**

24 **“(b) No fuel other than green electrolytic hydrogen or renewable**
25 **hydrogen were used during that year for the operation of the**
26 **renewable hydrogen-fueled generator or generators purchased, leased**
27 **or acquired using the grant award moneys.**

28 **“(4) The Environmental Quality Commission may adopt rules to**
29 **implement the provisions of this section.”.**

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