

House Bill 3171

Sponsored by Representatives MARSH, OWENS (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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Changes what must be included in an energy resilience plan that a county makes under the Act. Extends the time of a grant program for counties making an energy resilience plan. (Flesch Readability Score: 60.1).

Changes the requirements for an energy resilience plan that a county develops under the Act. Extends the sunset of a grant program that a county may use to help the county develop an energy resilience plan.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to county energy resilience plans; amending ORS 215.141 and sections 6 and 7, chapter 562,
3 Oregon Laws 2023; and declaring an emergency.

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

5 **SECTION 1.** ORS 215.141 is amended to read:

6 215.141. (1) **As used in this section:**

7 (a) **“Critical public services facility” includes a:**

8 (A) **Facility related to law enforcement, fire protection, health and medical services,**
9 **sanitation services, water or food supply, fuel and fueling, public works and engineering,**
10 **public information and communications or emergency response; and**

11 (B) **Community resilience center.**

12 (b) **“Long-term power outage” means a power outage that lasts for seven or more days.**

13 (c) **“Medium-term power outage” means a power outage that lasts between one to seven**
14 **days.**

15 (d) **“Short-term power outage” means a power outage that lasts 24 hours or less.**

16 [(1)] (2) The Legislative Assembly finds that each county should plan for and develop energy
17 resilience and be prepared, in the event of major grid disruption, to maintain basic services and
18 functions.

19 [(2)] (3) In order to carry out the provisions set forth in subsection [(1)] (2) of this section, a
20 county may:

21 (a) Develop and adopt an energy resilience plan; and

22 (b) Incorporate the energy resilience plan into the county's applicable natural hazard mitigation
23 plan.

24 [(3)] (4) An energy resilience plan developed under this section must:

25 (a) Be based on and plan for short-term, medium-term and long-term power outages[;].

26 [(b) *Identify and map:*]

27 [(A) *Existing energy infrastructure located within the county, including transmission lines, dis-*
28 *tribution lines, substations and energy storage systems;*]

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.

1 *[(B) Natural hazard risks; and]*

2 *[(C) Communities that experience social vulnerability;]*

3 *[(c) (b) Identify potential locations for community resilience centers and communication zones*
 4 *that the public may use to access [electricity] energy services during a power outage[;].*

5 *[(d) Inventory the energy consumption needs of critical public services facilities;]*

6 *[(e) (c) Identify critical public services facilities where the development of alternate energy*
 7 *generation and storage resources will meet local energy resilience needs, and, for each critical*
 8 **public services facility that the energy resilience plan identifies, the alternative energy gen-**
 9 **eration and energy resources that may be used to meet those needs. An energy resilience**
 10 **plan may identify the energy consumption needs of critical public services facilities that the**
 11 **energy resilience plan identifies. An energy resilience plan does not need to identify every**
 12 **critical public services facility in a county but must include a justification for the selection**
 13 **of critical public services facilities that the energy resilience plan identifies and provide for**
 14 **a plan to identify additional critical public services facilities in the future. The plan to iden-**
 15 **tify additional critical public services facilities in the future must identify the critical public**
 16 **services facilities that a county intends to focus on, the reason for the selection of those**
 17 **critical public services facilities and a timeline for when the county will carry out the**
 18 **plan[;].**

19 *[(f) Identify opportunities to coordinate and locate energy infrastructure development to align with*
 20 *and support critical public services facilities;]*

21 *[(g) (d) Include, as needed, measures to mitigate natural hazard risks to alternative en-*
 22 **ergy generation and storage resources located at critical public services facilities.**

23 *(e) Identify time schedules, priorities and potential funding sources for developing energy*
 24 *resilience[; and].*

25 *[(h) (f) Identify other actions and resources needed to implement the energy resilience plan.*
 26 **Actions may include coordinating with utilities or carrying out interconnection projects with**
 27 **energy infrastructure.**

28 *[(4)(a) To identify and map communities that experience social vulnerabilities under subsection*
 29 *(3)(b)(C) of this section, a county shall consult with representatives from local environmental justice*
 30 *communities.]*

31 *[(b) A county shall use the locations of communities that experience social vulnerabilities to prior-*
 32 *itize the potential locations of community resilience centers under subsection (3)(c) of this section.]*

33 **(5) An energy resilience plan developed under this section may include actions to increase**
 34 **household energy resilience.**

35 **(6) In developing an energy resilience plan under this section, a county shall:**

36 **(a) Engage with local environmental justice communities to help the county identify po-**
 37 **tential locations for community resilience centers and select other critical public services**
 38 **facilities to be included in the county's energy resilience plan;**

39 **(b) Use the locations of communities that experience social vulnerabilities to prioritize**
 40 **the potential locations of community resilience centers to be identified in the county's en-**
 41 **ergy resilience plan;**

42 **(c) Consider the needs of communities that experience social vulnerabilities to identify**
 43 **the critical public services facilities to be identified in the county's energy resilience plan;**
 44 **and**

45 **(d) Take into consideration natural hazard risks and risk mitigation measures when**

1 **identifying potential locations for community resilience centers and selecting other critical**
 2 **public services facilities to be included in a county’s energy resilience plan.**

3 [(5)] (7) [A public] **An electric or natural gas** utility that is operating or serving customers
 4 within the boundaries of a county that is developing an energy resilience plan shall use reasonable
 5 efforts to assist with and comply with requests from the county for information regarding energy
 6 infrastructure that is located or serving customers within the boundaries of the county, provided
 7 that the information is **not** exempt from disclosure under ORS 192.355.

8 [(6) As used in this section, “critical public services facility” includes a facility related to law
 9 enforcement, fire protection, health and medical services, sanitation services, fuel and fueling, public
 10 works and engineering, public information and communications and emergency response.]

11 **SECTION 2.** Section 6, chapter 562, Oregon Laws 2023, is amended to read:

12 **Sec. 6.** (1) The State Department of Energy shall establish a program for awarding grants to
 13 counties to cover the costs of developing energy resilience plans that meet the requirements under
 14 [section 5 (3) of this 2023 Act] **ORS 215.141.**

15 (2) Under the program:

16 (a) A county shall use grant moneys to cover the costs of developing an energy resilience plan
 17 that meets the requirements [listed] under [section 5 (3) of this 2023 Act] **ORS 215.141;**

18 (b) A county may be awarded a total of no more than \$50,000;

19 (c) Counties may combine and use together grant moneys that have been awarded to the coun-
 20 ties;

21 (d) A county may use grant award moneys to cover:

22 (A) The salaries and expenses of county employees for the time the employees work on devel-
 23 oping an energy resilience plan;

24 (B) The costs to hire or contract with a technical assistance provider; and

25 (C) Any other necessary costs as approved by the department; and

26 (e) The department may issue grant award moneys to a county or directly to a technical as-
 27 sistance provider or providers hired or contracted by the county.

28 (3) The department shall establish the:

29 (a) Application process;

30 (b) Eligibility criteria for awarding grants;

31 (c) Process of awarding grants; and

32 (d) Requirements for reporting on the use of grant award moneys by grantees.

33 **(4) Notwithstanding any amendments to ORS 215.141 that may change the requirements**
 34 **for an energy resilience plan that a county develops under ORS 215.141, a county that is**
 35 **participating in a grant program established under this section may use any grant moneys**
 36 **the county is awarded under the grant program to cover the costs of developing an energy**
 37 **resilience plan that meets the requirements listed under ORS 215.141.**

38 [(4)] (5) No later than [September 15, 2025,] **June 30, 2027,** the department shall submit a report
 39 in the manner provided by ORS 192.245 to the interim committees of the Legislative Assembly re-
 40 lated to energy. The report must, at a minimum:

41 (a) Identify the counties that have received grants under the program and describe the status
 42 of the counties’ energy resilience plans;

43 (b) Identify opportunities to incorporate county energy resilience plans into a state energy
 44 resilience plan and other planning efforts; and

45 (c) Make recommendations for improvements to the program and investments that would im-

1 prove future planning efforts.

2 **SECTION 3.** Section 7, chapter 562, Oregon Laws 2023, is amended to read:

3 **Sec. 7.** Section 6, **chapter 562, Oregon Laws 2023**, [*of this 2023 Act*] is repealed on January
4 2, [2026] **2028**.

5 **SECTION 4.** **This 2025 Act being necessary for the immediate preservation of the public**
6 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**
7 **on its passage.**

8
