

As Introduced

**127th General Assembly
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S. B. No. 213

Senator Mason

Cosponsors: Senators Bocchieri, Cafaro, Fedor, Kearney, Miller, D.

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A B I L L

To enact section 123.012 of the Revised Code to 1
require the Director of Administrative Services to 2
ensure that a certain percentage of state 3
agencies' total electricity purchases are from 4
renewable energy systems. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 123.012 of the Revised Code be 6
enacted to read as follows: 7

Sec. 123.012. (A) As used in this section: 8

(1) "Biomass" means any organic matter, including either of 9
the following: 10

(a) Any organic material from a plant that is grown 11
exclusively to be used in the production of electricity, on land 12
that was in crop production on the effective date of this section; 13
or on land that is protected under the federal conservation 14
reserve program, provided the planting does not adversely affect 15
the water quality protection, soil erosion prevention, or wildlife 16
habitat enhancement purposes of that program; 17

(b) Any solid, nonhazardous, cellulosic waste that is derived 18
from waste pallets, crates, dunnage, or landscape or right-of-way 19

tree trimmings, from agricultural sources including orchard tree 20
crops, vineyards, grains, legumes, or sugar, or from any crop 21
byproducts or residues. 22

"Biomass" excludes forestry resources; agricultural resource 23
waste necessary for maintaining soil fertility or for preventing 24
erosion; municipal or unsegregated waste or garbage; or paper that 25
is commonly recycled. 26

(2) "Electric services company" and "electric utility" have 27
the same meanings as in section 4928.01 of the Revised Code. 28

(3) "Renewable energy" means energy from biomass that is 29
available on a renewable basis; geothermal energy; energy produced 30
by a photovoltaic technology system; wind energy; or energy from a 31
hydroelectric facility that produces less than twenty megawatts of 32
electricity and is certified on or after three years following the 33
effective date of this section as a low-impact hydropower facility 34
by the low-impact hydro institute. "Renewable energy" excludes 35
nuclear energy and energy produced from coal, natural gas, oil, 36
propane, or any other fossil fuel. 37

(4) "Renewable energy system" means any of the following: 38

(a) A photovoltaic technology system; 39

(b) A facility or energy system that both uses renewable 40
energy to generate electricity and transmits or distributes that 41
electricity through either of the following: 42

(i) A power line that is dedicated to the transmission or 43
distribution of electricity generated from renewable energy only 44
and is connected to a facility or system owned, operated, or 45
controlled by an electric light company; 46

(ii) A power line that is shared with not more than one 47
facility or energy system generating electricity from nonrenewable 48
energy and is connected to a facility or system owned, operated, 49

or controlled by an electric light company. 50

(5) "State agency" means every organized body, office, or 51
agency established by the laws of the state for the exercise of 52
any function of state government, but does not include an 53
institution of higher education. 54

(B)(1) The director of administrative services shall ensure 55
that the purchase of at least a portion of the total electricity 56
supply for all state agencies is from one or more renewable energy 57
systems located in this state. The director shall coordinate state 58
agencies' contracting with electric utilities or electric services 59
companies to ensure that the requirements specified in division 60
(B)(2)(a) of this section are met. State agencies shall cooperate 61
with the director in complying with this section. 62

(2)(a) The minimum amount of electricity supply that the 63
director shall ensure is from renewable energy systems pursuant to 64
division (B)(1) of this section shall be the following fiscal year 65
percentages of all state agencies' total retail electric 66
purchases: 67

| <u>Fiscal year</u> | <u>Percentage</u> | 68 |
|--|-------------------|----|
| <u>2011 to 2019</u> | <u>10%</u> | 69 |
| <u>2020 to 2024</u> | <u>20%</u> | 70 |
| <u>2025 and each subsequent fiscal</u> | <u>25%</u> | 71 |
| <u>year</u> | | 72 |

(b) For the purpose of division (B)(2)(a) of this section, 73
all state agencies' total retail electric purchases for a fiscal 74
year shall be determined by calculating, in kilowatt hours, the 75
average total retail electric purchases of all state agencies 76
during each of the immediately preceding three fiscal years. 77