

House Bill 251

By: Representatives Schofield of the 63rd, Drenner of the 85th, Kennard of the 101st, Evans of the 89th, and Hutchinson of the 106th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 46-1-6 of the Official Code of Georgia Annotated, relating to
2 governmental entities prohibited from restricting utility service connection or sale of fuels
3 based on type and ability to choose utility service, so as to require the Public Service
4 Commission to adopt regulations to gradually reduce, from 2025 to 2050, the carbon dioxide
5 emissions from electric utilities; to require all electricity provided by an electric utility in this
6 state to be generated from clean energy sources by 2050; to provide for a short title; to
7 provide for a definition; to provide for related matters; to repeal conflicting laws; and for
8 other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 This Act shall be known and may be cited as the "Clean Energy Act."

12 **SECTION 2.**

13 Code Section 46-1-6 of the Official Code of Georgia Annotated, relating to governmental
14 entities prohibited from restricting utility service connection or sale of fuels based on type
15 and ability to choose utility service, is amended as follows:

H. B. 251

16 "46-1-6.

17 (a) As used in this Code section, the term:

18 (1) 'Clean energy' means energy generated from a source without releasing pollutants,
19 including, but not limited to, carbon dioxide and other greenhouse gases.

20 (2) 'Governmental entity' means any:

21 (A) Municipality, public corporation, political subdivision, instrumentality, body
22 politic, authority, district, consolidated government, county, or any ~~board~~, commission,
23 agency, department, or board of any such entity;

24 (B) State board, commission, agency, department, or board; or

25 (C) Other form of government.

26 ~~(2)~~(3) 'Policy' means an ordinance, resolution, regulation, code, or any other requirement
27 imposed by a governmental entity.

28 (b) ~~No~~ Except as provided by subsection (d) of this Code section, no governmental entity
29 of this state shall adopt any policy that prohibits, or has the effect of prohibiting, based on
30 the type or source of energy or fuel to be delivered:

31 (1) The connection or reconnection of a customer to an electric utility, gas company, or
32 natural, manufactured, or liquefied petroleum gas service;

33 (2) Sales of liquefied petroleum gas, including, but not limited to, directly to a consumer
34 by a retail establishment; or

35 (3) Sales of other liquefied petroleum products.

36 (c) Nothing in this Code section shall limit the ability of a governmental entity to choose
37 utility services for properties owned by such governmental entity.

38 (d) No later than July 1, 2024, the commission shall adopt regulations to gradually reduce,
39 from January 1, 2025, to January 1, 2050, the carbon dioxide emissions from every electric
40 utility in this state, regardless of fuel type. Beginning January 1, 2050, all electricity
41 provided by an electric utility in this state shall be generated from clean energy sources."

42

SECTION 3.

43 All laws and parts of laws in conflict with this Act are repealed.