

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 945 Session of 2021

INTRODUCED BY YAW, YUDICHAK, MARTIN, STEFANO AND BREWSTER, NOVEMBER 23, 2021

SENATOR YAW, ENVIRONMENTAL RESOURCES AND ENERGY, AS AMENDED, JANUARY 25, 2022

AN ACT

1 Providing for the disposition of alternative energy credits.

2 The General Assembly of the Commonwealth of Pennsylvania
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Alternative
6 Energy Credits Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Alternative energy credit." As defined in section 2 of the
12 act of November 30, 2004 (P.L.1672, No.213), known as the
13 Alternative Energy Portfolio Standards Act.

14 "COMMONWEALTH." AN EXECUTIVE AGENCY UNDER THE EXCLUSIVE <--
15 JURISDICTION OF THE GOVERNOR. THE TERM DOES NOT INCLUDE AN
16 INSTITUTION OF THE STATE SYSTEM OF HIGHER EDUCATION, A STATE-
17 RELATED INSTITUTION OF HIGHER EDUCATION OR A POLITICAL

1 SUBDIVISION.

2 Section 3. Disposition of alternative energy credits.

3 The Department of General Services shall offer for sale,
4 auction, transfer or other disposition at a fair market value of
5 an alternative energy credit owned, obtained or entitled to be
6 owned or obtained by the Commonwealth.

7 Section 4. Deposits of proceeds.

8 All proceeds from the sale, auction, transfer or other
9 disposition of an alternative energy credit in section 3 shall
10 be deposited into the Marcellus Legacy Fund, established under
11 58 Pa.C.S. § 2315(a) (relating to Statewide initiatives).
12 Proceeds deposited under this section shall be used by the
13 Commonwealth Financing Authority for orphan or abandoned oil and
14 gas well plugging.

15 Section 5. Application.

16 This act shall apply retroactively to any alternative energy
17 credit acquired on or after January 1, 2019, including any
18 alternative energy credit associated with contracts for the
19 purchase or acquisition of alternative energy entered into or
20 executed by the Commonwealth.

21 Section 6. Effective date.

22 This act shall take effect immediately.