

2024 -- S 2044

LC003683

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- 2021 ACT ON CLIMATE

Introduced By: Senators de la Cruz, Rogers, E Morgan, Paolino, DeLuca, F. Lombardi, Ciccone, Lombardo, Burke, and Raptakis

Date Introduced: January 12, 2024

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 42-6.2 of the General Laws entitled "2021 Act on Climate" is hereby
2 amended by adding thereto the following sections:

3 **42-6.2-7.1. Study of impact to developing countries.**

4 (a) The council, pursuant to the council's responsibility and oversight in accordance with
5 the provisions of § 42-6.2-1, shall study, make determinations and report to the speaker of the
6 house, the president of the senate and the governor whether any enacted legislation or programs or
7 policies adopted or implemented by the state or any of its subdivisions or agencies has the effect of
8 shifting environmental impact of carbon-free energy technologies onto impoverished and
9 developing countries, including, but not limited to:

10 (1) Disclosing human rights abuses and labor conditions of workers mining,
11 manufacturing, and recycling carbon-free energy technologies and the materials of which carbon-
12 free energy technologies are composed;

13 (2) Disclosing the environmental impacts of copper, lithium, cobalt, nickel, and
14 neodymium mining;

15 (3) Disclosing the traceability of mining supply chains used in carbon-free energy
16 technology products; and

17 (4) Documenting the effects of toxic pollution resulting from the decommissioning,
18 recycling, and disposal of carbon-free energy technology products.

19 (b) The report required pursuant to the provisions of subsection (a) of this section shall be

1 [submitted to the speaker of the house, the president of the senate and the governor annually on or](#)
2 [before January 15.](#)

3 **42-6.2-8.1. Nickel supply study.**

4 [The council shall conduct an annual study that calculates the amount of the element nickel](#)
5 [that is contained in electric vehicle batteries and in energy storage facilities sold or constructed in](#)
6 [the state. The study shall also identify the country, state or province of origin of the nickel. The](#)
7 [study shall be completed no later than November 1, of each year, beginning in 2025, and shall be](#)
8 [distributed to the speaker of the house, president of the senate, and the governor.](#)

9 **42-6.2-8.2. Solar panels - Recycling and decommissioning.**

10 [No solar energy permit as defined in § 45-68-2 shall be issued unless the permit applicant](#)
11 [has committed in writing and submitted evidence demonstrating that sufficient resources shall be](#)
12 [available and set aside to pay for the decommissioning and recycling of the photovoltaic panels](#)
13 [comprising the solar electric generating systems at the end of their useful life.](#)

14 SECTION 2. Chapter 23-18.9 of the General Laws entitled "Refuse Disposal" is hereby
15 amended by adding thereto the following section:

16 **23-18.9-19. Disposal of wind turbine blades.**

17 [Blades from a decommissioned or repowered wind energy conversion system operating in](#)
18 [this state shall be disposed of or recycled within this state, unless the blades are to be recycled into](#)
19 [a useful byproduct, upon approval by the department of environmental management after](#)
20 [consultation with the council, at a facility located outside of the state.](#)

21 SECTION 3. Chapter 39-26.4 of the General Laws entitled "Net Metering" is hereby
22 amended by adding thereto the following section:

23 **39-26.4-6. Renewable energy credits.**

24 [\(a\) The division of public utilities and carriers \("division"\) shall create a program for](#)
25 [tradable renewable energy credits for electricity generated by eligible energy technology. The](#)
26 [credits shall represent energy produced by an eligible energy technology, and the program shall be](#)
27 [implemented in coordination with the provision of chapter 82 of title 23.](#)

28 [\(1\) Each kilowatt-hour of renewable energy credits shall be treated the same as a kilowatt-](#)
29 [hour of eligible energy technology generated or procured by an electric utility if it is produced by](#)
30 [an eligible energy technology. The program shall permit a credit to be used only once. The program](#)
31 [shall treat all eligible energy technology equally and shall not give more or less credit to energy](#)
32 [based on where in the state the energy was generated or the technology with which the energy was](#)
33 [generated. The division shall determine the period in which the credits may be used for purposes](#)
34 [of the program.](#)

1 (b) In lieu of generating or procuring energy directly to satisfy the eligible energy
2 technology objective of chapter 82 of title 23 and chapter 6.2 of title 42, an electric utility may
3 utilize renewable energy credits allowed under the program to satisfy the objective.

4 (c) The division may facilitate a program authorizing the trading of renewable energy
5 credits between states.

6 (d) The division shall promulgate rules and regulations requiring all electric utilities to
7 participate in an approved credit-tracking system or systems and establishing protocols for trading
8 credits; provided, however, after July 1, 2025, no renewable energy credit shall be authorized if the
9 credit is associated with electricity generated from a facility:

10 (1) Composed of materials excavated, processed, or manufactured outside the United States
11 that uses slave labor, or child labor, as determined by the United Nations International Labor
12 Organization; or

13 (2) For which silicon tetrachloride, cadmium, lead, or a chemical listed by the United States
14 Environmental Protection Agency as a known or suspected carcinogen or genotoxin was used in
15 its manufacturing process.

16 SECTION 5. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would require that the climate change coordinating council study and report on
2 legislation or programs that are shifting environmental impacts of the use of carbon-free energy
3 technologies onto impoverished and developing countries. This act would also require that wind
4 turbine blades be disposed of within this state unless recycled. This act would further establish a
5 program for tradable, renewable energy credits to be used in coordination with the provisions of
6 the regional greenhouse gas initiative act, chapter 82 of title 23.

7 This act would take effect upon passage.

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