

JAN 24 2024

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# A BILL FOR AN ACT

RELATING TO RENEWABLE ENERGY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that it has established  
2 goals for the State to achieve a one hundred per cent renewable  
3 energy portfolio standard by 2045, reduce greenhouse gas  
4 emissions to at least fifty per cent below 2005 levels by 2030,  
5 and uphold the State's zero emissions clean economy target to  
6 sequester more atmospheric carbon and greenhouse gases than  
7 emitted within the State by no later than 2045.

8           The legislature also finds that greenhouse gas emissions  
9 are not just the result of electricity generation, but also from  
10 transportation and aviation, which utilize fossil fuels.  
11 Electric vehicle targets additionally have been undermined by  
12 the fact that electric vehicles are charged by the grid, which  
13 is powered by seventy per cent fossil fuels. With the  
14 advancement of various technologies, there are now more  
15 renewable fuel options available to help facilitate the  
16 replacement of fossil fuels and mitigate carbon emissions,  
17 including those produced by transportation and aviation. These



1 advancements include sustainable aviation fuels and hydrogen,  
2 which can help the State reach its renewable energy goals.  
3 However, with limited land, it is difficult to advance those  
4 policies. The legislature recognizes that the State has a role  
5 to play in continuing to support its renewable energy target.

6 The legislature further finds that section 171-95, Hawaii  
7 Revised Statutes, enables the department of land and natural  
8 resources to assist in the State's renewable electricity goals.  
9 However, the State's quest for renewables goes beyond  
10 electricity and the electric utility as utilizers of renewable  
11 energy.

12 Accordingly, the purpose of this Act is to repeal the  
13 constraints of section 171-95, Hawaii Revised Statutes, and the  
14 narrow definition of "renewable energy producer", to allow  
15 renewable energy producers to sell to entities other than the  
16 electric utility, in furtherance of the State's renewable energy  
17 goals.

18 SECTION 2. Section 171-95, Hawaii Revised Statutes, is  
19 amended by amending subsection (c) to read as follows:

20 "(c) For the purposes of this section, "renewable energy  
21 producer" means:



- 1           (1) Any producer or developer of [~~electrical or thermal~~  
2            ~~renewable~~ energy as defined in §269-91 [~~produced by~~  
3            ~~wind, solar energy, hydropower, geothermal resources,~~  
4            ~~landfill gas, waste-to-energy, ocean thermal energy~~  
5            ~~conversion, cold seawater, wave energy, biomass,~~  
6            ~~including municipal solid waste, biofuels or fuels~~  
7            ~~derived from organic sources, hydrogen fuels derived~~  
8            ~~primarily from renewable energy, or fuel cells where~~  
9            ~~the fuel is derived primarily from renewable sources]~~  
10           that sell [~~all of~~] the net power produced from the  
11           demised premises [~~to an electric utility company~~  
12           ~~regulated under chapter 269 or that sells all of the~~  
13           ~~thermal energy it produces to customers of district~~  
14           ~~cooling systems; provided that up to twenty-five per~~  
15           ~~cent of the power produced by a renewable energy~~  
16           ~~producer and sold to the utility or to district~~  
17           ~~cooling system customers may be derived from fossil~~  
18           ~~fuels]; or~~
- 19           (2) Any grower or producer of plant or animal materials  
20           used primarily for the production of biofuels or other  
21           fuels; provided that nothing herein is intended to



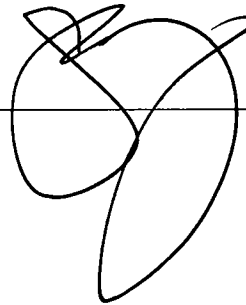
1 prevent the waste product or byproduct of the plant or  
2 animal material grown or produced for the production  
3 of biofuel, biogas, hydrogen, or other fuels[~~er~~  
4 ~~electrical energy, or thermal energy,~~] from being used  
5 for other useful purposes."

6 SECTION 3. Statutory material to be repealed is bracketed  
7 and stricken.

8 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: \_\_\_\_\_

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# S.B. NO. 3195

**Report Title:**

Renewable Energy; Renewable Energy Producer; Definition

**Description:**

Amends the definition of "renewable energy producer" in section 171-95, HRS, to allow renewable energy producers to sell to entities other than an electric utility company regulated under chapter 269, HRS.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

