
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 are also
10 the result of transportation and aviation sectors, which utilize
11 fossil fuels. Electric vehicle targets additionally have been
12 undermined by the fact that electric vehicles are charged by the
13 grid, which is powered by seventy per cent fossil fuels. With
14 the 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 ~~[produced by wind, solar energy,~~
3 ~~hydropower, geothermal resources, landfill gas, waste-~~
4 ~~to energy, ocean thermal energy conversion, cold~~
5 ~~seawater, wave energy, biomass, including municipal~~
6 ~~solid waste, biofuels or fuels derived from organic~~
7 ~~sources, hydrogen fuels derived primarily from~~
8 ~~renewable energy, or fuel cells where the fuel is~~
9 ~~derived primarily from renewable sources]~~ as defined
10 in section 269-91, that ~~[sell all of]~~ sells the net
11 power produced from the demised premises ~~[to an~~
12 ~~electric utility company regulated under chapter 269~~
13 ~~or that sells all of the thermal energy it produces to~~
14 ~~customers of district cooling systems; provided that~~
15 ~~up to twenty five per cent of the power produced by a~~
16 ~~renewable energy producer and sold to the utility or~~
17 ~~to district cooling system customers may be derived~~
18 ~~from fossil 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[~~7~~
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 on January 1, 2060.



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. Takes effect 1/1/2060. (SD1)

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