

SENATE BILL 74

**56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

INTRODUCED BY

William P. Soules

This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO ENERGY; REQUIRING FACILITIES CONSTRUCTED FOR NEW AND REPLACEMENT ENERGY GENERATION CAPACITY TO GENERATE CLEAN ENERGY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**SECTION 1.** A new section of the Public Utility Act is enacted to read:

"[NEW MATERIAL] NEW AND REPLACEMENT ENERGY GENERATION

.223768.2AIC January 26, 2023 (5:13pm)

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CAPACITY--CLEAN ENERGY.--

A. Facilities constructed for new or replacement energy generation capacity shall only generate clean energy.

B. For the purposes of this section, "clean energy" means energy generated from solar heat, solar light, wind, geothermal reservoirs, biomass ~~SCONC~~→, nuclear←~~SCONC~~ or hydropower.

C. The provisions of this section shall not apply to an energy generation facility the construction of which was approved by the commission before July 1, 2023."

SECTION 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2023.