

1 SENATE BILL 74

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 William P. Soules

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10 AN ACT

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

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

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

18 "[NEW MATERIAL] NEW AND REPLACEMENT ENERGY GENERATION  
19 CAPACITY--CLEAN ENERGY.--

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

22 B. For the purposes of this section, "clean energy"  
23 means energy generated from solar heat, solar light, wind,  
24 geothermal reservoirs, biomass or hydropower.

25 C. The provisions of this section shall not apply

.223768.2

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1 to an energy generation facility the construction of which was  
2 approved by the commission before July 1, 2023."

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

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