2016 State Energy Policy Outlook

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About NCSL

- Bipartisan organization
  - Serves 7,383 legislators and 30,000+ legislative staff across 50 states, as well as commonwealths and territories

- Services
  - Research on policy topics of interest to the state legislators
  - Technical assistance and training
  - Opportunities for policymakers to exchange ideas
  - Lobbying at the federal level for states' interests
Legislative Action Shapes the Electric Grid

- Planning
- Siting
- Resource Diversity
- Distributed Generation
- Cost Recovery
- Competition
- Interstate Coordination
- Resiliency
- Efficiency
Enacted 2015 Energy Legislation

Renewable: 203
Fossil: 42
Transportation: 45
Efficiency: 93
Climate: 82
Grid/Transmission: 39
Energy Security: 30
State legislative involvement may be desired or required to:

- Ensure the planning process includes all stakeholders
- Pass policies that may be integral to executing a least cost compliance plan, such as energy efficiency requirements, streamlined transmission planning, and distributed generation policy
- Craft plan components that create enforceable policies that cover municipally and cooperatively owned utilities as well as IOUs
- Allow multi-state collaboration and trading as well as participation in emissions credits auctions
- Direct allowance allocation or auction

In 2015, legislatures in 32 states introduced 95 bills or resolutions:

- Requires Legislative Approval
  - Introduced in over a dozen states, enacted in 5
- Postpone state plans until legal issues are resolved
  - Introduced in 5 states
- Creation of a reliability safety valve against early power plant retirements.
  - Introduced in 6 states and enacted in one
- Require creation of a report or to study that explores the impact on energy prices, reliability, and consumers
  - Enacted in 5 states
- Other efforts related to reliability, creation of market-based compliance options, and caps on rate increases
2015 Bills

State Reactions to EPA Regulations: 2015 Bills
As of December 17, 2015

LEGEND
- Enacted legislation
- Introduced legislation
- Combination of enacted legislation and introduced legislation
2016 Legislative Activity

State Reactions to EPA Regulations: 2016 Bills
As of February 10, 2016

LEGEND
- Enacted legislation
- Introduced legislation
Nuclear Energy

- Consideration of state nuclear plant construction restrictions
  - 16 states have moratoriums
  - Wisconsin (AB 384) will overturn its ban
  - Illinois has pending bills to overturn its ban

- Nuclear plan retention
  - Wisconsin and Washington bills to require nuclear be considered during the development of CPP compliance plans
  - Illinois has a bill to create a low carbon portfolio standard

- Bills that support or study new reactor technology, including small modular reactors
Hot Topics in Renewable Energy

- Impacts on the electric grid are changing
  - Cost
  - Variability

- Distributed generation
  - Net metering caps
  - Nevada PUC decision
  - Iowa H.B. 2000 (Introduced) retail to wholesale
  - Discussions in many states: CA, CO, CT, HI, MO, NV, NY, MA and others

- Siting
  - Setbacks
  - Property Values
  - State Standards

- Renewable Portfolio Standards
Renewable Portfolio Standards
At least 36 states and the District of Columbia Have Incentives
Electric Vehicles and Funding for Transportation Infrastructure

- Georgia
  - H.B. 170 (2015) repeals a state tax credit of $5,000 and imposes a $200 annual fee on all non-commercial electric vehicles.

- Idaho
  - H.B. 312 (2015) creates a $140 annual fee on all-electric vehicles and $75 on certain hybrid vehicles.

- 11 states currently have active electric vehicles fees bills.
Planning and Resilience

Lawmakers in 16 states and Puerto Rico introduced more than 29 bills on emergency preparedness

- Seven states—Alabama, Kansas, Mississippi, New Mexico, Oregon, Vermont and Virginia—introduced disaster response worker exemptions
- At least 15 bills encouraged backup power generation.
- New York (A.B. 3007, enacted) requires an energy audit and disaster preparedness review of residential health care facilities
2015 Emergency and Disaster Preparedness Bills
Cyber Threats and Terrorism

- **Microgrids**
  - In 2015, 17 states introduced bills to promote microgrids.
  - Washington H.B. 1095 (enacted) requires a life-cycle cost analysis before construction or renovation of critical government facilities to assess microgrid feasibility.

- **Cyber Threats**
  - At least 16 bills or resolutions sought to address cyber issues in 2015.
  - At least six bills relate to creating state response plans, and instruct state agencies to assess the grid’s vulnerabilities and to make recommendations.
Contact Information

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Additional Resources

- NCSL Energy and Environment Database
- NCSL Energy Program