CHAPTER 347
HB 1623-FN - FINAL VERSION

7Mar2024... 0782h
05/15/2024 1828s
05/15/2024 1897s
13Jun2024... 2215CofC

2024 SESSION

24-2670
12/08

HOUSE BILL *1623-FN*

AN ACT relative to involuntary retirement or decommissioning of electricity generators.

SPONSORS: Rep. Vose, Rock. 5; Rep. D. Thomas, Rock. 16; Rep. Harrington, Straf. 18; Rep. D. McGuire, Merr. 14; Sen. Avard, Dist 12; Sen. Lang, Dist 2; Sen. Pearl, Dist 17

COMMITTEE: Science, Technology and Energy

AMENDED ANALYSIS

This bill requires in-state electricity generators that receive certain notices of regulatory action to notify the attorney general, and requires the department of energy to investigate the need to defend the generator.

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Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to involuntary retirement or decommissioning of electricity generators.

Be it Enacted by the Senate and House of Representatives in General Court convened:

347:1 Findings. The general court finds that the state has a duty to defend the production and supply of affordable, reliable, and secure energy from external regulatory interference. The state's sovereign authority with respect to the involuntary retirement of an in-state electric generation facility for the protection of the health, safety, and welfare of the state's citizens is primary and takes precedence over any attempt from an external regulatory body to mandate, restrict, or influence the early involuntary retirement of an electric generation facility in the state.

347:2 New Section; Utilities; Rates and Charges; Loss of In-State Electrical Generation. Amend RSA 378 by inserting after section 378:42 the following new section:

378:42-a Loss of In-State Electrical Generation Capacity.

I. An in-state electricity generator that receives notice of any external regulatory action that makes continued operation economically infeasible or may result in the involuntary retirement or decommissioning of the generator's facility shall inform the commissioner of the department of energy of the notice and regulation within 30 days after the receipt of said notice.

(a) The department of energy shall open an investigatory docket to determine how such an involuntary retirement or decommissioning would affect the reliability and affordability of the state's energy resources and to recommend any action necessary to defend the generator, including appealing to the attorney general to file an action in court or to participate in administrative proceedings.

(b) The department of energy and the department of justice may seek funding from the legislative fiscal committee to conduct any actions under this section.

II. Any act or omission by a state agency inconsistent with this section shall not form the basis of any civil suit including, but not limited to, those seeking equitable relief or claiming damages.

347:3 Effective Date. This act shall take effect 60 days after its passage.

Approved: August 02, 2024
Effective Date: October 01, 2024