

# WEST VIRGINIA LEGISLATURE

## 2020 REGULAR SESSION

**Enrolled**  
**Committee Substitute**  
**for**  
**Senate Bill 810**

SENATORS SMITH AND CLINE, *original sponsors*

[Passed March 4, 2020; in effect 90 days from passage]

**FILED**

2020 MAR 25 P 4:02

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

SB810

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SECRETARY OF STATE

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FILED

1 AN ACT to amend and reenact §22-5-20 of the Code of West Virginia, 1931, as amended, relating  
2 to adoption of a state plan implementing the federal Affordable Clean Energy rule pursuant  
3 to section 111(d) of the federal Clean Air Act.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 5. AIR POLLUTION CONTROL.**

**§22-5-20. Development of a state plan relating to carbon dioxide emissions from existing fossil fuel-fired electric generating units.**

1 The West Virginia Department of Environmental Protection shall propose a legislative rule  
2 for promulgation in accordance with §29A-3-1 of this code to implement the Affordable Clean  
3 Energy rule, consisting of Emission Guidelines for Greenhouse Gas, Emissions from Existing  
4 Electric Utility Generating Units (EGUs) pursuant to the federal Clean Air Act, section 111(d). The  
5 proposed rule shall be filed with the Secretary of State in time for consideration during the 2021  
6 legislative session. Notwithstanding any provision to the contrary, the agency shall submit a  
7 complete or partial state compliance plan to the federal Environmental Protection Agency no later  
8 than September 1, 2020, which may be comprised of one or more EGU facilities that are  
9 voluntarily prepared to move forward with a compliance plan for one or more of their EGUs.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Mark Hayward*  
.....  
Chairman, Senate Committee

*Noel Lopez*  
.....  
Chairman, House Committee

FILED  
2020 MAR 25 P 4:02  
OFFICE OF THE CLERK  
SECRETARY OF STATE

Originated in the Senate.

In effect 90 days from passage.

*Joe Curran*  
.....  
Clerk of the Senate

*Steve Harrison*  
.....  
Clerk of the House of Delegates

*Nikki B. Combs*  
.....  
President of the Senate

*Ben Hales*  
.....  
Speaker of the House of Delegates

The within is ..... approved ..... this the 25<sup>th</sup> .....  
Day of March ..... 2020.

*James Perdue*  
.....  
Governor

PRESENTED TO THE GOVERNOR

MAR 13 2020

Time 3:16 pm