

# ACT No. 275

2022 Regular Session

HOUSE BILL NO. 708

BY REPRESENTATIVES MCFARLAND, BAGLEY, CARRIER, FIRMENT, FISHER, GADBERRY, HARRIS, HODGES, HORTON, LARVADAIN, MCMAHEN, ORGERON, RISER, ROMERO, SCHAMERHORN, SCHEXNAYDER, ST. BLANC, THOMPSON, AND WHITE

1 AN ACT

2 To enact R.S. 51:3061(3) and (4) and 3062(6), (7), and (8), relative to the Louisiana  
3 Renewable Energy Development Act; to provide for legislative findings; to define  
4 the term "biomass"; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 51:3061(3) and (4) and 3062(6), (7), and (8), are hereby enacted to  
7 read as follows:

8 §3061. Legislative findings

9 The legislature hereby finds and declares that:

10 \* \* \*

11 (3) Energy produced from forest products' manufacturing bioenergy  
12 feedstocks shall be considered renewable and carbon neutral. When paired with  
13 carbon capture technologies, known as bioenergy with carbon capture and storage,  
14 it may be considered carbon negative.

15 (4) Energy produced from agricultural harvesting, including bagasse  
16 produced from sugarcane processing shall be considered renewable and carbon  
17 neutral. When paired with carbon capture technologies, known as bioenergy with  
18 carbon capture and storage, it may be considered carbon negative.

19 §3062. Definitions

20 As used in this Chapter, the following words ~~and phrases shall have the~~  
21 ~~meaning ascribed to them in this Section, unless the context clearly indicates~~  
22 ~~otherwise:~~ have the following meanings:

23 \* \* \*

1                   (6) "Biomass" means forest products' manufacturing bioenergy feedstocks,  
2                   which may include but not be limited to the following:

3                   (a) Forest products' manufacturing residuals, including but not limited to  
4                   spent pulping liquors, pulping by-products, woody manufacturing residuals, paper  
5                   recycling residuals, wastewater and process water treatment plant residuals, and  
6                   anaerobic digester biogas.

7                   (b) Harvest residues, including trees or portions of harvested trees that are  
8                   too small or of too poor quality to be utilized for wood products or paper products.

9                   (c) Downed wood from extreme weather events and natural disasters,  
10                  nonhazardous landscape or right-of-way trimmings and municipal trimmings, and  
11                  plant material removed for purposes of invasive or noxious plant species control;  
12                  biowaste, including landfill gas.

13                  (d) Forest biomass derived from residues created as a by-product of timber  
14                  harvesting, including but not limited to low-value wood, treetops, and tree limbs.

15                  (e) Forest management activities conducted for stand improvement or to  
16                  increase yield, ecological restoration, or to maintain or enhance forest health  
17                  including but not limited to hazardous fuels reduction.

18                  (f) Biomass materials recognized by the United States Environmental  
19                  Protection Agency as fuels under 40 CFR Part 241.4.

20                  (g) Other used wood products, such as crates or pallets.

21                  (7) "Sugarcane" bagasse biomass" or "bagasse biomass" means the solid,  
22                  heterogeneous, fibrous agricultural waste that remains after extracting the liquid  
23                  from sugarcane stalks, which may include but is not limited to the following:

24                  (a) Biomass derived from factory bagasse which is obtained from the  
25                  industrial extraction process and contains only trace amounts of the sugarcane liquid.

26                  (b) Biomass derived from pressed cane stalks or farm bagasse which is  
27                  obtained from on-farm or small factory extraction and contains higher amounts of  
28                  sugarcane liquid.

1                    (c) Dewatered pulp derived from bagasse and recognized by the United  
2                    States Environmental Protection Agency as fuels under 40 CFR Part 241.4.

3                    (8) "Bioenergy with carbon capture and storage" means the process of  
4                    capturing and permanently storing carbon dioxide from biomass energy generation.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_