94th Arkansas General Assembly: Legislation Introduced Addressing Bioenergy and Carbon Capture Technology

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Senate Bill 407 ("SB407") has been introduced addressing bioenergy and carbon capture technology.

State Senators and Representatives sponsoring the legislation include:

Senators	Representatives
Matt McKee	Mark Berry
Steve Crowell	Jon Eubanks
Ben Gilmore	Delia Haak
Blake Johnson	Brit McKenzie
Matt Stone	Marcus Richmond
Breanne Davis	Howard Beaty
Bart Hester	Keith Brooks
Greg Leding	Jack Fortner
David Wallace	Mike Holcomb
Justin Boyd	Stephen Meeks
Jonathan Dismang	Jeff Wardlaw
Jimmy Hickey	Wade Andrews
Jim Petty	Karilyn Brown
Alan Clark	Jimmie Gazaway
Scott Flippo	Lane Jean
Ricky Hill	Aaron Pilkington
Terry Rice	Sonia Eubanks Barker

Cameron Cooper

Zack Gramlich

Rick McClure

David Ray

SB407 would amend Ark. Code Title 15, Chapter 10, Subchapter 1 (Development of Economic and Natural Resources/Energy Conservation and Development) to add an additional section titled:

Bioenergy and Carbon Capture Technology

Key elements of the legislation include:

- Require that energy produced from certain sources be considered carbon neutral
- Require that energy produced from certain sources in conjunction with carbon capture technology be considered carbon negative

Key definitions and provisions include:

- "Biomass" means bioenergy feedstocks from forest products 35 manufacturing, including without limitation:
- Forest products manufacturing residuals . . .
- Harvest residues . . .
- Downed wood from extreme weather events or natural disasters
- Nonhazardous landscape or right-of-way trimmings and municipal trimmings
- Plant material removed for purposes of invasive or noxious plant species control
- Biowaste, including without limitation landfill gas
- Forest biomass derived from residues created as a byproduct of timber harvesting
- Forest management activities conducted for timber stand improvement or to increase yield, ecological restoration, or to maintain or enhance forest health
- Biomass materials described by the United States Environmental Protection Agency as fuels under 40 C.F.R. § 241.1 et seq., as it existed on January 1, 2023; and
- Other used wood products, including without limitation crates or pallets

The legislation also provides that bioenergy produced from biomass is considered renewable and carbon neutral. In addition, bioenergy produced from agricultural harvesting is considered renewable and carbon neutral.

SB407 has been re-referred to the Senate Agriculture, Forestry and Economic Development Committee.

A copy of SB407 can be downloaded here.