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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

Matt McKee
Steve Crowell
Ben Gilmore
Blake Johnson
Matt Stone
Breanne Davis
Bart Hester
Greg Leding
David Wallace
Justin Boyd
Jonathan Dismang
Jimmy Hickey
Jim Petty
Alan Clark
Scott Flippo
Ricky Hill
Terry Rice

Representatives

Mark Berry
Jon Eubanks
Delia Haak
Brit McKenzie
Marcus Richmond
Howard Beaty
Keith Brooks
Jack Fortner
Mike Holcomb
Stephen Meeks
Jeff Wardlaw
Wade Andrews
Karilyn Brown
Jimmie Gazaway
Lane Jean
Aaron Pilkington
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](#).