

**Status by state and province of CO2 Storage Legal and Regulatory Development**

State/Province	Active Effort Begun	Legis. Drft/Enacted	Regs. Drft/Enacted	Summary of Status	Date Info updated	Link to additional info
					5/8/2008	
Alabama	No			Something could emerge in 2008 legislative session.	02/07/08	
Alaska	No				02/07/08	
Arizona	No				04/24/08	
Arkansas	No				04/24/08	
California	Yes			Report, already released (see link), being further developed.	04/29/08	<a href="http://www.energy.ca.gov/2007publications/CEC-500-2007-100/CEC-500-2007-100-SF.PDF">http://www.energy.ca.gov/2007publications/CEC-500-2007-100/CEC-500-2007-100-SF.PDF</a>
Colorado	No				04/28/08	
Florida	No				02/19/08	
Georgia	No				02/07/08	
Idaho						
Illinois	Yes	Enacted: Senate Bill 1704		Senate Bill 1704: Clean Coal - FutureGen. Creates the Clean Coal FutureGen for Illinois Act for the purpose of providing the FutureGen alliance with adequate liability protection, land use rights, and permitting certainty to facilitate the siting of the FutureGen Project in Illinois.	04/28/08	
Indiana	Yes				02/19/08	
Kansas	Yes	Enacted: House Bill 2419 (2007):		House Bill 2419 mandated development of regulations no later than July 1, 2008. Preliminary draft has been developed and will go through public notice and hearing process this spring.	02/07/08	
Kentucky	No				02/19/08	
Louisiana	No				02/14/08	
Maryland	No				02/22/08	
Michigan	Yes	Draft Senate Bill No. 707, 708, 801, 1166, 1184 and House Bill No. 5604		Senate and House Bills require development of regulations prior to July 1, 2008, provide for tax credits and exemptions to electric generating facilities capturing and sequestering carbon dioxide, tax credits for emissions reductions and sequestration, tax credits for purchasing and constructing of capture machinery or equipment, and authorization for storage of GHG on State owned lands. Bills introduced, analysis prepared by legislative staff.	4/28/2008	<a href="http://www.legislature.mi.gov">http://www.legislature.mi.gov</a>
Mississippi	No				02/19/08	
Missouri	No				02/14/08	
Montana	Yes				02/14/08	
Nebraska	No				02/14/08	
Nevada	No				02/26/08	

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New Mexico	Yes			Report issued on December 1 to (see link) Governor's Climate Change Action Implementation Team. No legislative action in 2008.	04/28/08	A BLUEPRINT FOR THE REGULATION OF GEOLOGIC SEQUESTRATION OF CARBON DIOXIDE IN NEW MEXICO: <a href="http://www.emnrd.state.nm.us/ocd/documents/CarbonSequestrationFINALREPORT1212007.pdf">http://www.emnrd.state.nm.us/ocd/documents/CarbonSequestrationFINALREPORT1212007.pdf</a>
New York	Yes				02/14/08	
North Carolina	No				02/14/08	
North Dakota	Yes			Rules were promulgated in 2007 but based on comments submitted and analysis by the North Dakota Attorney General's office, it was concluded that statutory jurisdiction was lacking in a few critical areas. A work group composed of representatives from the lignite and oil & gas industries, PCORP, the North Dakota Industrial Commission and the Attorney General's Office has been formed to develop a bill based on the IOGCC model statute for introduction during the 2009 North Dakota legislative session. Once legislation is passed and signed into law, rules will be re-promulgated.	05/08/08	
Ohio	Yes	Enacted: Ohio SB 221	No; Using EPA Class V temporarily.	Pending legislation includes some requirements to limit carbon emissions and charges state agencies to develop rules.	05/07/08	<a href="http://www.legislature.state.oh.us/bills.cfm?ID=127_SB_221">http://www.legislature.state.oh.us/bills.cfm?ID=127_SB_221</a>
Oklahoma	Yes			OK. Senate Bill 1765 pending. This bill will determine what agency is taking the lead.	03/27/08	<a href="http://webserver1.lsb.state.ok.us/WebBillStatus/main.html">http://webserver1.lsb.state.ok.us/WebBillStatus/main.html</a>
Oregon	No				04/24/08	
Pennsylvania	No				02/14/08	
South Carolina	No				02/26/08	
South Dakota	No				02/14/08	
Texas	Yes				02/07/08	
Tennessee	No				04/29/08	
Utah	Yes			SB 202 passed by legislature and signed by Governor requiring, among other things, development of rules and recommended legislative changes by Jan. 1, 2011.	04/02/08	<a href="http://le.utah.gov/~2008/htmddoc/sbillhtm/sb0202s01.htm">http://le.utah.gov/~2008/htmddoc/sbillhtm/sb0202s01.htm</a>
Virginia	No				02/21/08	
Washington	Yes	Enacted: <a href="http://www.leg.wa.gov/pub/billinfo/2007-08/Pdf/Bills/Session%20Law%2007/6001-S.SL.pdf">http://www.leg.wa.gov/pub/billinfo/2007-08/Pdf/Bills/Session%20Law%2007/6001-S.SL.pdf</a>	DRAFT: <a href="http://www.ecy.wa.gov/laws/rules/wac173407_218/Draft_Rule/OTS-1277.2final.pdf">http://www.ecy.wa.gov/laws/rules/wac173407_218/Draft_Rule/OTS-1277.2final.pdf</a>	Process begun, public hearings held in April 2008. Final rule adoption expected in June 2008.	4/24/2008	
West Virginia	Yes			Preparing draft legislation - possible intro in 2008 legislative session.	02/07/08	

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Wyoming	Yes	Enacted: <a href="http://legisweb.state.wy.us/2008/Enroll/HB0089.pdf">http://legisweb.state.wy.us/2008/Enroll/HB0089.pdf</a> AND <a href="http://legisweb.state.wy.us/2008/Enroll/HB0090.pdf">http://legisweb.state.wy.us/2008/Enroll/HB0090.pdf</a>		Two bills were introduced and passed by the legislature and signed by the Governor in March 2008. One of the bills addresses ownership and one addresses regulatory issues). Both bills required and passed by a 2/3 majority in both houses. Legislation addressing eminent domain aspect of CO2 storage will likely be addressed in 2009.	04/15/08	
Alberta	Yes			The province of Alberta in the process of conducting a review of its current regulatory framework for large-scale implementation of geological storage. The province has also recently established a Carbon Capture and Storage Development Council (a partnership between governments, industry and scientific researchers) to conduct an assessment of CCS and to recommend steps for implementation in Alberta, including a legal and regulatory framework. The Council will be reporting back to the Alberta government in the Fall of 2008.	5/8/2008	
British Columbia	Yes				2/21/2008	
Newfoundland & Labrador	No				2/19/2008	
Nova Scotia	Yes			The lead in Nova Scotia on climate change issues is now with the Department of Environment. An initiative is under way to examine the potential for the sequestration of CO2 into both offshore and onshore geologic formations.	4/26/2008	
Saskatchewan	Yes				2/14/2008	