AN ACT

AMENDING TITLE 40, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 40-213; RELATING TO PUBLIC SERVICE CORPORATIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 40, chapter 2, article 1, Arizona Revised Statutes, is amended by adding section 40-213, to read:

40-213. Regulation of critical electric generation resources; legislative authorization; definition

A. NOTWITHSTANDING ANY OTHER LAW, WITHOUT EXPRESS LEGISLATIVE AUTHORIZATION, THE CORPORATION COMMISSION MAY NOT ADOPT OR ENFORCE A POLICY, DECISION OR RULE THAT DIRECTLY OR INDIRECTLY REGULATES THE TYPES OF CRITICAL ELECTRIC GENERATION RESOURCES USED OR ACQUIRED BY PUBLIC SERVICE CORPORATIONS WITHIN THIS STATE'S ENERGY GRID.

B. THIS SECTION DOES NOT APPLY TO ANY POLICY, DECISION OR RULE ADOPTED BEFORE JUNE 30, 2020.

C. THIS SECTION DOES NOT PROHIBIT THE CORPORATION COMMISSION FROM SETTING ELECTRICITY RATES FOR PUBLIC SERVICE CORPORATIONS.

D. FOR THE PURPOSES OF THIS SECTION, "CRITICAL ELECTRIC GENERATION RESOURCES" INCLUDES ANY GENERATION RESOURCE USED OR ACQUIRED BY A PUBLIC SERVICE CORPORATION, INCLUDING SOLAR, WIND, BIOMASS, GEOTHERMAL, NUCLEAR, HYDROELECTRIC, FUEL-CELL TECHNOLOGY, NATURAL GAS OR COAL OR ANY OTHER PETROLEUM FUEL SOURCE.

Sec. 2. Legislative findings
The legislature finds that:

1. Energy development, production and generation is an issue of statewide concern necessary to ensure the public's health and safety.

2. Policies that restrict or ban critical fuel and energy resources will result in higher electricity prices, harm economic growth, reduce grid reliability and damage Arizona's energy independence.

3. Any policy, decision or rule that regulates critical electric generation resources should prioritize affordability and reliability and must be expressly authorized by the legislature.

Sec. 3. Retroactivity
Section 40-213, Arizona Revised Statutes, as added by this act, applies retroactively to from and after June 29, 2020.