

House Bill 1323

By: Representative Neal of the 79th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 3 of Title 46 of the Official Code of Georgia Annotated, relating to
2 electrical service, so as to require new data centers to operate as hybrid power data centers;
3 to provide for certification by the Public Service Commission; to provide for enforcement;
4 to provide for rules and regulations; to provide for definitions; to provide for related matters;
5 to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 3 of Title 46 of the Official Code of Georgia Annotated, relating to electrical service,
9 is amended by adding a new article to read as follows:

10 "ARTICLE 5

11 46-3-560.

12 (a) As used in this Code section, the term:

13 (1) 'Data center' means a facility, campus of facilities, or array of interconnected
14 facilities used by an entity or other business enterprise to operate, manage, or maintain

15 a computer, group of computers, or other organized assembly of hardware and software
16 for the primary purpose of processing, storing, retrieving, or transmitting data.

17 (2) 'Hybrid power data center' means one or more of the following:

18 (A) 'Off-site solar hybrid data center' means a data center which utilizes contracted or
19 virtual solar power not physically on site;

20 (B) 'On-site solar hybrid data center' means a data center which utilizes solar
21 generation located on the same property as the data center;

22 (C) 'Renewable grid hybrid data center' means a data center which utilizes a mix of
23 renewable energy sources along with grid electricity;

24 (D) 'Solar grid generator hybrid data center' means a data center which utilizes solar,
25 grid electricity, and backup generation;

26 (E) 'Solar grid hybrid data center' means a data center which utilizes on-site or off-site
27 solar combined with grid electricity;

28 (F) 'Solar hydrogen hybrid data center' means a data center which utilizes solar
29 generation and hydrogen fuel systems;

30 (G) 'Solar microgrid data center' means a data center which has the capability of
31 operating independently from the utility grid using solar and storage;

32 (H) 'Solar natural gas hybrid data center' means a data center which utilizes solar
33 combined with low carbon natural gas power or fuel cells;

34 (I) 'Solar plus storage data center' means a data center which utilizes solar generation
35 paired with energy storage systems and grid electricity; or

36 (J) 'Solar thermal hybrid data center' means a data center which utilizes solar thermal
37 systems for heating or cooling combined with electrical power.

38 (3) 'New data center' means any data center which first receives a certificate of
39 occupancy after July 1, 2027.

40 (4) 'Renewable energy source' means electric energy generated from solar, wind, woody
41 biomass power production, landfill gas, agricultural crops or waste, geothermal, animal
42 manure or human waste, or municipal solid waste.

43 (b) Each new data center shall be required to operate as a hybrid power data center.

44 (c) Each new data center shall be required, prior to beginning operations, to submit
45 documentation to the commission sufficient to determine such new data center's
46 compliance with this Code section.

47 (d) The Attorney General shall be authorized, upon complaint by the commission, to bring
48 an action in the superior court of the county where the new data center is located in the
49 name of the commission for civil penalties or for injunctive relief.

50 (e) The commission shall make and publish such rules and regulations as it deems
51 necessary to carry out this Code section, which rules and regulations are not inconsistent
52 with this Code section."

53

SECTION 2.

54 All laws and parts of laws in conflict with this Act are repealed.