

FIRST REGULAR SESSION

HOUSE BILL NO. 998

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LOW (Sponsor), ATKINS, OXFORD, SKAGGS,
CALLOWAY AND ZIMMERMAN (Co-sponsors).

1925L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 386, RSMo, by adding thereto one new section relating to public utilities.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 386, RSMo, is amended by adding thereto one new section, to be
2 known as section 386.372, to read as follows:

386.372. 1. As used in this section, the following terms shall mean:

2 (1) "Coal-fired generating unit", a coal-fired facility that is located in this state and
3 has the capacity to generate twenty-five or more megawatts of electricity;

4 (2) "Mountaintop removal coal mining", any method of surface coal mining that
5 removes a mountaintop or ridgeline, whether or not the mined area will be returned to its
6 approximate original contour. "Mountaintop removal coal mining" includes, but is not
7 limited to, methods such as cross-ridge mining, box cut method mining, steep slope mining,
8 area mining, and mountaintop mining, or any method of coal mining which utilizes valley
9 fills;

10 (3) "Investor-owned electric utility", an entity that provides utility services to the
11 public and that is owned by private persons.

12 2. Beginning August 28, 2009, any investor-owned electric utility that operates a
13 coal-fired generating unit located in this state to generate electricity shall not purchase or
14 use coal extracted by mountaintop removal coal mining.

15 3. The commission shall, upon petition of an electric public utility, approve an
16 annual rider to the electric public utility's rates to recover all reasonable and prudent
17 incremental costs incurred by each investor-owned electric utility that operates a coal-fired

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 18 **generating unit in this state for purchasing or using coal extracted by a method other than**
- 19 **mountaintop removal coal mining prohibited by subsection 2 of this section.**

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