

COMMITTEE ON NATURAL RESOURCES, ENERGY & WATER
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2738
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

~~[GREEN STRIKEOUT IN BRACKETS]~~ indicates new text removed from statute or previously enacted session law.

~~[Green strikeout in brackets]~~ indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

~~<<Green strikeout in carets>>~~ indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Title 40, chapter 1, article 1, Arizona Revised
3 Statutes, is amended by adding section 40-104, to read:

4 40-104. Public service corporation; carbon emissions goals;
5 alternative electric service provider; rules;
6 definitions

7 A. IF AN ELECTRIC PUBLIC SERVICE CORPORATION ~~[DECLARES A CARBON~~
8 ~~EMISSIONS REDUCTION GOAL TO SHAREHOLDERS OR COMMITS TO REPLACING RELIABLE~~
9 ~~AND DISPATCHABLE SOURCES OF ELECTRICITY WITH INTERMITTENT SOURCES OF~~
10 ~~ELECTRICITY]~~ [OR THE PUBLIC SERVICE CORPORATION'S HOLDING COMPANY OR
11 PARENT COMPANY DOES ANY OF THE FOLLOWING], THE COMMISSION SHALL ALLOW A
12 RETAIL ELECTRIC CUSTOMER TO OPT OUT AND TO RECEIVE ELECTRIC SERVICE FROM
13 [ANOTHER PROVIDER] [OTHER PROVIDERS] IN THE SAME SERVICE TERRITORY[.].]

14 [1. COMMITS TO SHAREHOLDERS IN FILINGS TO THE UNITED STATES
15 SECURITIES AND EXCHANGE COMMISSION OR IN AN INTEGRATED RESOURCE PLAN
16 APPROVED OR ACKNOWLEDGED BY THE COMMISSION TO GO NET ZERO.

17 2. USES DIVERSITY, EQUITY AND INCLUSION PROGRAMS FOR HIRING,
18 TRAINING OR PROMOTION PURPOSES.

19 4. REQUIRES AN EMPLOYEE TO ENGAGE IN A DIVERSITY, EQUITY AND
20 INCLUSION PROGRAM.

21 5. REQUIRES, AS A CONDITION OF A CONTRACT, PARTICIPATION IN A
22 DIVERSITY, EQUITY AND INCLUSION PROGRAM.

23 6. GRANTS PREFERENTIAL TREATMENT TO OR DISCRIMINATES AGAINST ANY
24 INDIVIDUAL OR GROUP ON THE BASIS OF RACE, SEX, COLOR, OR ETHNICITY.

25 7. COMPENSATES EXECUTIVES OR EMPLOYEES BASED ON ANY CLEAN ENERGY
26 COMMITMENT.]

27 B. THE COMMISSION SHALL ADOPT RULES THAT:

1 1. ALLOW A RETAIL ELECTRIC CUSTOMER TO PETITION TO OPT OUT AS
2 PRESCRIBED IN SUBSECTION A OF THIS SECTION AND THAT SET FORTH PROCEDURES
3 FOR USE BY THE COMMISSION IN EVALUATING PETITIONS TO OPT OUT.

4 2. ESTABLISH GUIDELINES FOR THE PROVISION OF ALTERNATIVE, SAFE,
5 AFFORDABLE AND RELIABLE RETAIL ELECTRIC SERVICE BY OTHER RETAIL ELECTRIC
6 SERVICE PROVIDERS OR PUBLIC POWER ENTITIES TO RETAIL ELECTRIC CUSTOMERS
7 THAT ARE LOCATED WITHIN THE ORIGINAL PUBLIC SERVICE CORPORATION'S SERVICE
8 TERRITORY AND THAT HAVE OPTED OUT PURSUANT TO THIS SECTION.

9 C. FOR THE PURPOSES OF THIS SECTION~~[;]~~[:]

10 [1.] "COMMISSION"~~[, "ELECTRIC SERVICE", "RETAIL ELECTRIC CUSTOMER"~~
11 ~~AND "SERVICE TERRITORY" HAVE] [HAS] THE SAME [MEANINGS] [MEANING]~~
12 PRESCRIBED IN SECTION 40-201.

13 [2. "DIVERSITY, EQUITY AND INCLUSION PROGRAM" MEANS A PROGRAM THAT
14 REQUIRES AN EMPLOYEE TO PARTICIPATE IN OR ATTEND A TRAINING, ORIENTATION,
15 WORKSHOP, THERAPY OR SIMILAR ACTIVITY THAT FOCUSES ON JUSTIFYING
16 DIFFERENTIAL TREATMENT OR BENEFIT ON THE BASIS OF SEX, COLOR, GENDER,
17 ETHNICITY, GENDER IDENTITY OR SEXUAL ORIENTATION.

18 3. "ELECTRIC SERVICE" HAS THE SAME MEANING PRESCRIBED IN SECTION
19 40-201.

20 4. "NET ZERO" MEANS COMMITTING TO NET ZERO CARBON EMISSIONS BY
21 PROVING ONE HUNDRED PERCENT CLEAN AND CARBON FREE ELECTRICITY.

22 5. "RETAIL ELECTRIC CUSTOMER" HAS THE SAME MEANING PRESCRIBED IN
23 SECTION 40-201.

24 6. "SERVICE TERRITORY" HAS THE SAME MEANING PRESCRIBED IN SECTION
25 40-201.]

26 Enroll and engross to conform

27 Amend title to conform

And, as so amended, it do pass

GAIL GRIFFIN
CHAIRMAN

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