353.441 Carbon dioxide sequestration facility trust fund.

(1) There is hereby created in the State Treasury an interest-bearing, restricted, agency account to be known as the carbon dioxide sequestration facility trust fund. Moneys in the fund shall be used for:

(a) The long-term monitoring and management of sequestration facilities prior to closure, plugging, and abandonment of all monitoring wells in the event of operator default;

(b) Expenses associated with the long-term monitoring and management after issuance of a completion certificate; and

(c) Determining the causes and remediating the effects of any releases or environmental emergencies associated with sequestration facilities.

(2) All amounts required to be deposited into the fund shall not be segregated into separate accounts but may be used by the cabinet as provided in this section for any carbon dioxide sequestration project. Notwithstanding KRS 45.229, any balance remaining in the fund at the end of any fiscal year shall not lapse but shall be carried forward to carry out the purposes of the fund until fully expended.

(3) The secretary may:

(a) Enter into a cooperative agreement with another government agency to carry out regulatory responsibilities over a sequestration facility on behalf of the Commonwealth; and

(b) Compensate the government agency for its expenses with money from the fund.

Effective: July 15, 2026

History: Created 2026 Ky. Acts ch. 152, sec. 16, effective July 15, 2026.