

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2026 REGULAR SESSION
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Amend printed copy of **SB 197/HCS 1**

Beginning on page 105, line 23, and continuing to page 106, line 11, delete paragraph (b) in its entirety and insert in lieu thereof the following:

"(b) "Data center":

1. Means:

a. A qualified data center project that has been preliminarily approved or approved for a certificate of exemption under KRS 139.499; or

b. A centralized facility that:

i. Is used primarily or exclusively for electronic information services, including but not limited to the management, storage, processing, and dissemination of electronic data and information through the use of computer systems, servers, networking equipment, and related components;

ii. Has electrical load that is either fixed, portable, or distributable, including but not limited to structures that are not affixed to the ground or are easily removed from a location;

iii. Has an expected or actual peak of real-time energy demand of fifteen (15) megawatts or greater; and

iv. Has an expected or actual monthly load factor of sixty percent

Amendment No. HFA

Rep. Rep. Josh Bray

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRD Drafter: _____

Adopted: _____

Date: _____

Rejected: _____

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(60%) or greater; and

2. Does not mean a facility owned or operated by a provider of telecommunications service as defined in 47 U.S.C. sec. 153 or facilities that primarily support telecommunications service or network operations;"; and

On page 110, beginning on line 8 and continuing through line 23, delete paragraph (b) in its entirety and insert in lieu thereof the following:

"(b) "Data center":

1. Means:

a. A qualified data center project that has been preliminarily approved or approved for a certificate of exemption under KRS 139.499; or

b. A centralized facility that:

i. Is used primarily or exclusively for electronic information services, including but not limited to the management, storage, processing, and dissemination of electronic data and information through the use of computer systems, servers, networking equipment, and related components;

ii. Has electrical load that is either fixed, portable, or distributable, including but not limited to structures that are not affixed to the ground or are easily removed from a location;

iii. Has an expected or actual peak of real-time energy demand of fifteen (15) megawatts or greater; and

iv. Has an expected or actual monthly load factor of sixty percent (60%) or greater; and

2. Does not mean a facility owned or operated by a provider of telecommunications service as defined in 47 U.S.C. sec. 153 or facilities that

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primarily support telecommunications service or network operations;"; and

On page 114, after line 21, insert the following:

- "(7) A retail electric supplier that is not a member of a regional transmission organization and does not have a power purchase agreement with a generation and transmission cooperative may, in the course of prioritizing the least cost generation resources needed to meet the daily electricity demand of its customers, utilize electricity generated by a dedicated resource that is not being used by the associated data center customer or utilize electricity to serve a data center customer that is generated from a resource other than a dedicated resource of the data center customer, but only if doing so:*
- (a) Results in either cost savings or no additional costs to all of its customers; and*
 - (b) Does not diminish the reliability of the retail electric service supplied to any of its customers."*; and

On page 114, line 22, delete "(7)" and insert "(8)" in lieu thereof.