

1 AN ACT relating to natural resources.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 353.812 is amended to read as follows:

- 4 (1) The secretary of the cabinet shall take affirmative steps to initiate discussions with
5 surrounding states to develop a coordinated and unified approach to subsurface
6 migration of stored carbon dioxide and may enter into reciprocal agreements with
7 states that share a border with Kentucky that:
- 8 (a) Affirm that accidental or unforeseen migration of subsurface stored carbon
9 dioxide across state lines shall not be treated by the states as trespass;
 - 10 (b) Provide a mechanism for resolution and compensation for unforeseen
11 migration incidents, including necessary monitoring arrangements to track or
12 arrest future migration; or
 - 13 (c) Establish a process whereby reservoirs that cross state lines can be created
14 where it is geologically and mutually advantageous to do so.
- 15 (2) The cabinet shall report to the Governor and the Legislative Research Commission
16 on the progress of discussions held under this section. The report shall be presented
17 in writing and through testimony to ~~the Special Subcommittee on Energy and~~ the
18 Interim Joint Committee on Natural Resources and **Energy**~~Environment~~ annually
19 unless the chairs of these committees direct otherwise. Reporting shall begin in
20 2012 and continue until the cabinet is satisfied that all necessary agreements have
21 been reached and has reported that conclusion.