

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Originating

Senate Bill 739

[Originating in the Committee on Rules;

reported on February 25, 2023]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
2 designated §22-11C-1 and §22-11C-2, all relating to the declaration of a moratorium for
3 60 days on entering into contracts or agreements selling, leasing, letting, or otherwise
4 transferring property rights relating to any carbon storage, carbon capture, carbon
5 sequestration, or similar agreements, in order to give the Legislature time to deliberate
6 and pass laws as may be determined to be necessary to prevent or mitigate substantial
7 economic harm to West Virginia citizens.

Be it enacted by the Legislature of West Virginia:

CHAPTER 22. ENVIRONMENTAL RESOURCES.

ARTICLE 11C. MORATORIUM ON CARBON CAPTURE AGREEMENTS.

§22-11C-1. Legislative findings.

1 (a) The Legislature hereby finds that there currently exist insufficient and inadequate
2 measures to protect West Virginia citizens from substantial economic harm resulting from
3 agreements being actively sought by entities seeking to alienate resources and real property in
4 this state to benefit from carbon offsets, carbon tax credits, and similar benefits with rapidly
5 evolving economic effects.

6 (b) The Legislature further finds that a moratorium on entering into any contract or other
7 agreement selling, leasing, letting, or otherwise transferring property rights relating to any carbon
8 storage, carbon capture, carbon sequestration, or similar agreements for the limited period of 60
9 days will allow the Legislature to deliberate and pass laws as may be determined to be necessary
10 to prevent or mitigate substantial economic harm to West Virginia citizens.

§22-11C-2. Sixty-day moratorium on carbon capture agreements.

1 For a period of 60 days from the effective date of the legislation passed during the regular
2 session of the Legislature, 2023, establishing this article, it shall be unlawful and prohibited for
3 any contract or agreement to be entered into which includes any provision for the selling, leasing,

- 4 letting, or otherwise transferring any property rights for property situate in this state relating to any
- 5 carbon storage, carbon capture, carbon sequestration, or similar methods of offset for economic
- 6 or other gain.