



Rep. Michael J. Zalewski

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1 AMENDMENT TO HOUSE BILL 3412

2 AMENDMENT NO. _____. Amend House Bill 3412 on page 1,
3 immediately below line 16, by inserting the following:

4 "ASHRAE Standard 90.4-2016" means the Energy Standard
5 for Data Centers published by the American Society of
6 Heating, Refrigerating, and Air-Conditioning Engineers.";
7 and

8 on page 5, immediately below line 12, by inserting the
9 following:

10 "(d) New and existing data centers seeking a certificate of
11 exemption for new or existing facilities shall submit, with
12 respect to each application, a response in a form and manner
13 specified by the Department, which includes the following:

14 (1) An energy usage plan that provides the following
15 information:

16 (A) the expected quantity of electrical energy, in
17 kilowatt-hours, needed to fulfill 100% of the

1 anticipated electrical energy needs of the data
2 center:

3 (i) over the course of the first 12 consecutive
4 months of operation; and

5 (ii) on average, over the course of 12
6 consecutive months, excluding the first 12 months
7 of operation; and

8 (B) documentation of the expected quantity of
9 renewable energy to be generated on site or purchased
10 by the data center through renewable energy credits or
11 otherwise delivered to the site.

12 (2) A water resources plan that provides the following
13 information:

14 (A) the expected volume of water, in kiloliters,
15 needed to fulfill 100% of the anticipated water
16 consumption needs of the data center over the course of
17 12 consecutive months; and

18 (B) the data center's policy for sustainable water
19 use and water conservation.

20 (e) To maintain its certificate of exemption, a qualifying
21 data center shall provide the following to the Department each
22 calendar year by June 1:

23 (1) An energy usage report that provides the following
24 information:

25 (A) the actual quantity of electrical energy, in
26 kilowatt-hours, consumed annually by the qualifying

1 data center during the previous calendar year;

2 (B) any alterations the qualifying data center
3 proposes to undertake to improve the facility's
4 electrical energy consumption; and

5 (C) documentation of any energy efficiency
6 upgrades that were completed on the facility.

7 (2) A water resources report that provides the
8 following information:

9 (A) the actual volume of water, in kiloliters,
10 consumed by the qualifying data center over the course
11 of 12 consecutive months during the previous calendar
12 year; and

13 (B) any alterations the qualifying data center
14 will undertake to improve the data center's water
15 consumption.

16 (f) Beginning 180 days after the effective date of this
17 amendatory Act of the 101st General Assembly, all qualifying
18 data centers in the State shall meet or exceed the requirements
19 in the ASHRAE Standard 90.4-2016. The Department may replace
20 the ASHRAE Standard 90.4-2016 identified in this subsection by
21 adopting rules consistent with the requirements of the Illinois
22 Administrative Procedure Act. Whenever the provisions of any
23 energy efficiency standard imposed or adopted by the Department
24 are revised by the standard publishing body, including, but not
25 limited to, ASHRAE, the Department shall, not later than 12
26 months after the date of such revision, publish a notice of

1 determination of whether such revision will improve energy
2 efficiency in data centers in Illinois. If the Department
3 publishes an affirmative determination, then, not later than 6
4 months after the determination, the Department shall, by rule,
5 adopt the revised energy efficiency standard for qualifying
6 data centers and immediately notify all qualifying data centers
7 in the State. Existing qualifying data centers shall be subject
8 to the revised energy efficiency standard within 24 months
9 after the Department adopts the revised standard. The
10 Department shall provide data centers with technical
11 assistance concerning implementation of the energy efficiency
12 standard under this Section. The Department shall determine
13 procedures for compliance with the energy efficiency standard.
14 These procedures may include, but need not be limited to,
15 certification by a national, State, or local accredited energy
16 conservation program or inspections from private certified
17 inspectors using the ASHRAE Standard 90.4-2016.

18 (g) A qualifying data center shall ensure that renewable
19 energy sources fulfill 100% of the facility's electrical energy
20 consumption. A qualifying data center shall do so through one
21 or more of the following:

22 (1) on-site renewable generation;

23 (2) renewable energy credits purchased by the
24 facility;

25 (3) subscription in a renewable energy program by the
26 provider of electricity to the qualifying facility; or

1 (4) any combination of (1), (2) and (3) so that
2 renewable energy sources fulfill 100% of the facility's
3 electrical energy consumption.

4 (h) After the first 12 consecutive months of operation, a
5 qualifying data center shall reuse at least 50% of wastewater
6 generated by the data center. The Department, in consultation
7 with the Illinois Environmental Protection Agency, shall adopt
8 rules to carry out the provisions of this subsection.

9 (i) No later than 2 years after the effective date of this
10 amendatory Act of the 101st General Assembly, and at least
11 every 2 years thereafter, the Department, in consultation with
12 the Illinois Commerce Commission, shall make publicly
13 available a report that contains:

14 (1) an analysis of the state of data centers in
15 Illinois and their expected growth;

16 (2) the total energy usage of qualifying data centers
17 in the State;

18 (3) a comparison of energy efficiency of data centers
19 in the State versus that of data centers in other states;

20 (4) a review of the energy efficiency reporting
21 requirements this Section and a determination of whether
22 the Department will revise the requirements;

23 (5) a review of the energy efficiency standard in this
24 Section and a determination of whether the Department will
25 revise the standard; and

26 (6) other recommendations for improving energy

1 efficiency of the data centers in the State.

2 The Department shall provide this report to all qualifying
3 data centers in the State and make the report available to the
4 public through means similar to which the Department makes
5 other reports available to the public."; and

6 on page 5, line 13, by replacing "(d) Beginning" with "(j) In
7 addition, beginning".