

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Short title. This act shall be known and may be cited as the Data Center Energy and Water Reporting Act.

Section 2. Definitions.

“Commission.” The Pennsylvania Public Utility Commission of this Commonwealth.

"Data center." All or part of a facility that may be composed of one or more businesses, owners or tenants, that is or will be predominantly used to house working servers or similar data storage systems and that may have uninterruptible energy supply or generator backup power, or both, cooling systems, towers and other temperature control infrastructure.

“Department.” The Department of Environmental Protection of the Commonwealth.

“Energy consumption.” The total amount of electricity or other forms of energy consumed by a data center, measured in kilowatt-hours.

"Facility." One or more parcels of land in this Commonwealth and any structures and personal property contained on the land.

“Water consumption.” The total amount of water consumed by a data center, including water used for cooling, measured in gallons.

Section 3. Annual reporting requirements.

- (a) Reporting requirements. – Beginning July 1, 2027, each data center operating in this Commonwealth shall submit an annual report to the department on the facility’s energy consumption and water consumption for the preceding calendar year.
- (b) Criteria. – The report shall include the following:
 - (1) The name and address of the facility, including the nature or purpose of the facility.
 - (2) Total energy consumption for the previous calendar year, specified by month and the energy source consumed.
 - (3) The average amount of energy usage per hour during peak load, measured in kilowatt-hours.
 - (4) Total water consumption for the previous calendar year, along with the maximum day demand, specified by month, water source, and whether the consumption was intended for cooling or another application;

- (5) Any measures undertaken in the previous calendar year to improve energy or water efficiency and reduce energy or water consumption;
 - (6) Any measures undertaken to protect the environment and public from polluted water;
 - (7) Any measures undertaken to generate electricity on-site to reduce carbon emissions or impacts on the electric grid, including the specific energy source, and any potential future measures to generate electricity or other form of energy on-site.
 - (8) Total amount of waste heat produced on-site, measured in British thermal units;
 - (9) Any measures undertaken to recover waste heat to power the data center, or to recover waste heat for purposes relating to general building heating, cooling systems, or coolant systems specifically for the capture of waste heat from processors; and
 - (10) The projected total energy and water demand for the following year, including a comparison of the previous year's total energy and water consumption, if applicable.
 - (11) Any other information required by the department.
- (c) Submission. – By July 1, and each year thereafter, annual reports shall be submitted in a manner determined by the department.
- (d) Department duties. – The department, in consultation with the commission, shall publish an annual report on the energy and water consumption trends for data centers operating in the State, including, but not limited to, environmental impacts and recommendations to address identified issues. The report shall be made available on the department's publicly accessible Internet website and must be submitted in paper form or electronically to:
- (1) The Governor;
 - (2) The chairperson and minority chairperson of the Energy Committee of the House of Representatives;
 - (3) The chairperson and minority chairperson of the Environmental Resources and Energy Committee of the Senate;
 - (4) The chairperson and minority chairperson of the Environmental and Natural Resource Protection Committee of the House of Representatives;
 - (5) The chairperson and minority chairperson of the Consumer Protection and Professional Licensure Committee of the Senate; and
 - (6) The chairperson and minority chairperson of the Consumer Protection, Technology and Utilities Committee of the House of Representatives.

(e) Data confidentiality. – For annual reports submitted under subsection (a), proprietary information may be exempt from public disclosure. All aggregated and anonymized data shall be made publicly available.

Section 4. Enforcement and penalties. –

(a) Violations. – Each data center that fails to comply with the reporting requirements under section 3 shall be subject to a civil penalty of \$10,000 per day until the report is submitted to the department.

(b) Funds. – Penalties collected under this section shall be deposited into the low-income electric customer assistance program of the energy distribution company for the service territory in which the data center is located.

Section 5. Effective date. -- This act shall take effect immediately.