

AMENDED IN SENATE JUNE 11, 2026

AMENDED IN ASSEMBLY MAY 18, 2026

AMENDED IN ASSEMBLY APRIL 13, 2026

AMENDED IN ASSEMBLY MARCH 26, 2026

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 1577

Introduced by Assembly Member Bauer-Kahan

January 12, 2026

An act to add Sections ~~25302.10, 25302.11, and 25302.12~~ 25245, 25246, and 25247 to the Public Resources Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 1577, as amended, Bauer-Kahan. Data centers: reporting.

Existing law establishes the State Energy Resources Conservation and Development Commission and vests the commission with various responsibilities with respect to developing and implementing the state's energy policies. Existing law requires the commission to biennially adopt an integrated energy policy report, as specified, and to make the reports accessible to state, local, and federal entities and to the general public.

This bill would require the commission to establish a process for the owner of a data center, as defined, to submit specified information to the commission, including, among other information, the data center's location and size, the data center's power usage effectiveness, as defined, and the quantity of fuel consumed by onsite generators or other fuel-based energy systems, as specified. The bill would require the owner of a data center to submit the required information in the manner

specified by the commission. The bill would require the commission, beginning with the 2029 edition of the integrated energy policy report, and in subsequent editions as deemed appropriate by the commission, to include an assessment of electrical load trends for data centers, as provided. The bill would require the commission to annually publish the information submitted in an anonymized and aggregated format on its internet website.

The bill would require the owner or developer of a data center, upon applying for a discretionary permit, entitlement, or land use authorization required for the construction or operation of the data center, to submit to the applicable local agency, as defined, specified information, including the expected annual energy consumption, as specified, and the expected sound levels attributable to the operation of the data center, as provided. ~~By imposing a new duty on local agencies, the bill would impose a state-mandated local program.~~ The bill would authorize the local agency to use this information for various purposes, including, but not limited to, land use planning, infrastructure planning, energy supply assessment, and environmental review.

The bill would prohibit the commission or a local agency from disclosing information submitted to the commission on a monthly basis or to the applicable local agency upon applying for a discretionary permit, entitlement, or land use authorization, as described above, in a manner that would result in the disclosure of identifiable information or energy consumption data for a data center customer, except as provided.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~yes~~-no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 25302.10 is added to the Public Resources~~
2 ~~Code, to read:~~

3 ~~25302.10.—~~

4 SECTION 1. Section 25245 is added to the Public Resources
5 Code, to read:

6 25245. (a) For purposes of this section and Sections ~~25302.11~~
7 ~~and 25302.12~~, 25246 and 25247, all of the following definitions
8 apply:

9 (1) “Applicable local agency” means a city, county, or city and
10 county that has discretionary land use or permitting authority over
11 the construction or operation of a data center.

12 (2) (A) “Cooling degree day” means the number of degrees by
13 which the average outdoor air temperature for a given day exceeds
14 65 degrees Fahrenheit.

15 (B) If the average outdoor air temperature for a given day does
16 not exceed 65 degrees Fahrenheit, the number of cooling degree
17 days for that day shall be zero.

18 (3) (A) “Data center” means a facility, or part of a facility, that
19 houses computing infrastructure, including graphics and central
20 processing units, servers, storage devices, networking equipment,
21 and associated power and cooling systems, for the primary purpose
22 of processing, storing, or distributing electronic data.

23 (B) “Data center” does not include a facility with an installed
24 information technology equipment electrical capacity of less than
25 500 kilowatts.

26 (4) “Owner” means the individual or entity responsible for
27 overseeing the entire data center facility, regardless of the
28 individual parties that may rent or host equipment at the facility.

29 (5) “Power usage effectiveness” means a ratio of the total energy
30 consumption of a data center to the energy specifically used by
31 the information technology equipment housed in that data center.

32 (b) (1) The commission shall establish a process for the owner
33 of a data center to submit all of the following information to the
34 commission upon energization of the data center and following
35 any substantive change to information previously submitted
36 pursuant to this paragraph:

37 (A) The name of the data center.

- 1 (B) Any physical addresses associated with the operation of the
- 2 data center.
- 3 (C) The name of, and contact information for, the owner and
- 4 operator of the data center.
- 5 (D) The year and month that the data center began operating.
- 6 (E) The total floor area of the data center, expressed in square
- 7 feet.
- 8 (F) The floor area of the data center occupied by information
- 9 technology equipment, expressed in square feet.
- 10 (G) The anticipated electrical peak capacity of the data center,
- 11 as submitted per the load interconnection request.
- 12 (H) The anticipated quantity of electricity generated and
- 13 consumed onsite, separated by generation type.
- 14 (2) The commission shall establish a process for the owner of
- 15 a data center to submit all of the following information to the
- 16 commission on a monthly basis following energization:
- 17 (A) (i) The maximum electrical load of the data center.
- 18 (ii) The installed information technology electrical capacity of
- 19 the data center, expressed in kilowatts.
- 20 (iii) The total energy consumption of the data center, expressed
- 21 in kilowatthours.
- 22 (iv) The power usage effectiveness of the data center.
- 23 (v) Whether the data center participated in any demand
- 24 flexibility programs, and the name and level of participation in
- 25 each program.
- 26 (B) (i) The quantity of waste heat reused by the data center,
- 27 expressed in kilowatthours.
- 28 (ii) The average waste heat temperature of the data center,
- 29 expressed in degrees Fahrenheit.
- 30 (iii) The average intake air temperature setpoint for information
- 31 technology equipment, expressed in degrees Fahrenheit.
- 32 (iv) Which types of refrigerants are used to cool information
- 33 technology equipment.
- 34 (v) Cumulative cooling degree days for the data center.
- 35 (C) (i) The quantity of electricity generated and consumed
- 36 onsite, separated by generation type, expressed in kilowatthours.
- 37 (ii) The quantity of fuel consumed by onsite generators or other
- 38 fuel-based energy systems, separated by fuel type.
- 39 (iii) The energy storage type, capacity, and chemistry, if any
- 40 are used onsite.

1 (iv) The quantity of electricity associated with renewable energy
2 credits, identified by portfolio content category pursuant to Section
3 399.16 of the Public Utilities Code.

4 (3) The owner of a data center shall submit the required
5 information to the commission in a manner specified by the
6 commission. The commission shall aim to establish reporting
7 requirements that ~~reduce~~ *do both of the following*:

8 (A) *Reduce* duplicate filings and facilitate the submission of
9 substantially similar information.

10 (B) *Account for reasonable delays in the owner's ability to*
11 *obtain information necessary to complete the required submission*
12 *from a load-serving entity, as defined in Section 380 of the Public*
13 *Utilities Code, energy service provider, or intermediary.*

14 (c) Beginning with the 2029 edition of the integrated energy
15 policy report required pursuant to Section 25302, and in subsequent
16 editions thereafter as ~~deemed appropriate~~ *determined* by the
17 commission, the commission shall include an assessment of
18 electrical load trends for data centers. This assessment shall include
19 all of the following:

20 (1) A projection of future load trends from data centers.

21 (2) Identification of potential net peak load demands.

22 (3) Recommendations for mitigating data center electricity
23 consumption impacts on grid capacity, grid reliability, and
24 greenhouse gas emissions, including any recommended energy
25 efficiency and demand response measures.

26 (d) The commission shall annually publish the information
27 submitted pursuant to subdivision (b) in an anonymized and
28 aggregated format on its internet website.

29 ~~SEC. 2. Section 25302.11 is added to the Public Resources~~
30 ~~Code, to read:~~

31 ~~25302.11.—~~

32 *SEC. 2. Section 25246 is added to the Public Resources Code,*
33 *to read:*

34 25246. (a) Upon applying for a discretionary permit,
35 entitlement, or land use authorization required for the construction
36 or operation of a data center, the owner or developer of the data
37 center shall submit to the applicable local agency an estimate of
38 all of the following information, to the extent applicable to the
39 proposed facility:

1 (1) The expected annual energy consumption of the data center,
2 expressed in kilowatthours.

3 (2) The expected annual quantity of electricity generated onsite,
4 separated by generation type, expressed in kilowatthours.

5 (3) The expected average and maximum sound levels attributable
6 to the operation of the data center, expressed in A-weighted
7 decibels, measured at the point along the property boundary where
8 the average sound level attributable to the operation of the data
9 center is highest.

10 (b) The information submitted pursuant to subdivision (a) shall
11 be based on the best available estimates at the time of submission.

12 (c) A local agency may use the information submitted pursuant
13 to this section for various purposes, including, but not limited to,
14 land use planning, infrastructure planning, energy supply
15 assessment, and environmental review.

16 ~~SEC. 3. Section 25302.12 is added to the Public Resources~~
17 ~~Code, to read:~~

18 ~~25302.12.—~~

19 *SEC. 3. Section 25247 is added to the Public Resources Code,*
20 *to read:*

21 25247. (a) The commission or a local agency shall not disclose
22 information submitted pursuant to ~~Section 25302.10~~ 25245 or
23 ~~25302.11~~ 25246 in a manner that would result in the disclosure of
24 identifiable information or energy consumption data for a specific
25 data center customer.

26 (b) Subdivision (a) does not supersede, preempt, or otherwise
27 limit any reporting, disclosure, or public access requirements
28 imposed by any other law or regulation, including requirements
29 to report the same information to the same public entities.

30 (c) Any designation or labeling of information submitted
31 pursuant to subdivision (b) of ~~Section 25302.10~~ 25245 or ~~Section~~
32 ~~25302.11~~ 25246 as confidential, proprietary, or otherwise restricted
33 for purposes of this section shall not require the same designation
34 or labeling of that information pursuant to any other law or
35 regulation.

36 (d) The disclosure or sharing of information pursuant to
37 subdivision (b) of ~~Section 25302.10~~ 25245 or ~~Section 25302.11~~
38 25246 does not constitute a waiver of any attorney-client privilege,
39 work product protection, or trade secret protection that might
40 otherwise exist with respect to the information.

1 SEC. 4. The Legislature finds and declares that Section 3 of
2 this act, which adds Section ~~25302.12~~ 25247 to the Public
3 Resources Code, imposes a limitation on the public's right of
4 access to the meetings of public bodies or the writings of public
5 officials and agencies within the meaning of Section 3 of Article
6 I of the California Constitution. Pursuant to that constitutional
7 provision, the Legislature makes the following findings to
8 demonstrate the interest protected by this limitation and the need
9 for protecting that interest:

10 In order to protect the confidential and proprietary information
11 of an entity subject to Section 3 of this act, it is necessary that this
12 act limit the public's right of access to that information.

13 ~~SEC. 5. No reimbursement is required by this act pursuant to~~
14 ~~Section 6 of Article XIII B of the California Constitution because~~
15 ~~a local agency or school district has the authority to levy service~~
16 ~~charges, fees, or assessments sufficient to pay for the program or~~
17 ~~level of service mandated by this act, within the meaning of Section~~
18 ~~17556 of the Government Code.~~