

# HOUSE BILL NO. 2239

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE MURRAY.

5101H.011

JOSEPH ENGLER, Chief Clerk

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### AN ACT

To amend chapter 640, RSMo, by adding thereto one new section relating to artificial intelligence-optimized data centers, with penalty provisions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 640, RSMo, is amended by adding thereto one new section, to be  
2 known as section 640.1600, to read as follows:

**640.1600. 1. This section shall be known and may be cited as the "Artificial  
2 Intelligence Data Center Environmental Accountability Act".**

3 **2. As used in this section, the following terms mean:**

4 **(1) "Artificial intelligence (AI)-optimized data center", a facility designed  
5 primarily for artificial intelligence model training or inference workloads utilizing  
6 graphics processing units, tensor processing units, or similar accelerators, with a  
7 combined IT load capacity of one hundred megawatts or greater;**

8 **(2) "Closed-loop water cooling system", a sealed, recirculating system that  
9 transfers heat through a controlled circuit without continuous withdrawal or discharge  
10 of water from natural or municipal sources, except for limited make-up losses;**

11 **(3) "Department", the department of natural resources;**

12 **(4) "Environmental and health report", an annual, publicly available document  
13 submitted by an AI-optimized data center operator detailing water, air, energy, waste,  
14 and community health metrics;**

15 **(5) "Operator", the entity responsible for the day-to-day operation of the AI-  
16 optimized data center.**

17 **3. This section shall apply to:**

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18           **(1) All AI-optimized data centers constructed, expanded, or permitted on or**  
19 **after August 28, 2027, with a total installed capacity of one hundred megawatts or**  
20 **greater; and**

21           **(2) Beginning August 28, 2027, any existing data center undergoing a capacity**  
22 **increase of twenty-five percent or more that brings the total IT load to one hundred**  
23 **megawatts or greater.**

24           **4. Each AI-optimized data center subject to this section shall:**

25           **(1) Implement a closed-loop water cooling system, or an alternative system**  
26 **verified by the department to achieve equal or lower water withdrawal and discharge**  
27 **intensity per megawatt-hour of compute load;**

28           **(2) Incorporate continuous monitoring of make-up water volume, discharge**  
29 **temperature, and chemical concentrations; and**

30           **(3) Maintain emergency and redundancy protocols to prevent thermal pollution**  
31 **or water contamination in the event of system failure.**

32           **5. (1) Each operator shall submit, before April first of each year, an**  
33 **environmental and health report for the preceding calendar year to the department in**  
34 **accordance with the standardized digital formats and reporting templates created by**  
35 **the department as authorized under this section or by rule.**

36           **(2) The report shall include the following information:**

37           **(a) Total annual water withdrawn, recycled, and discharged in gallons or liters;**

38           **(b) Sources of water such as municipal, groundwater, or recycled, and discharge**  
39 **locations;**

40           **(c) Water quality metrics including pH, temperature, biocides, metals, and**  
41 **chemical additives;**

42           **(d) Documentation of closed-loop performance efficiency, make-up water**  
43 **percentage, and any leaks or discharges;**

44           **(e) Total electricity consumption and percentage derived from renewable**  
45 **sources;**

46           **(f) Annual greenhouse gas emissions and emissions from backup generators**  
47 **calculated using different types of equivalent units in the calculator and reported as**  
48 **carbon dioxide equivalents;**

49           **(g) Load factor and peak demand data for transparency with local grid**  
50 **operators;**

51           **(h) Quantities of electronic waste, batteries, and refrigerants disposed or**  
52 **recycled;**

53           **(i) Record of chemical use for cooling or maintenance processes;**

54 (j) Air and water quality monitoring results within a five-mile radius of the  
55 facility;

56 (k) Any public health complaints or incidents linked to data center operations;

57 (l) Noise, traffic, or land-use impacts, if applicable;

58 (m) Summary of community benefit initiatives including, but not limited to,  
59 infrastructure investments, renewable offsets, or workforce programs; and

60 (n) Documentation of all inspections, violations, and corrective actions taken  
61 during the reporting year.

62 6. (1) The department shall receive, review, and archive all environmental and  
63 health reports submitted under this section.

64 (2) Except as otherwise provided by law, all reports received by the department  
65 under this section shall be made available to the public according to rules and  
66 procedures established by the department, and no later than sixty-days after the  
67 department receives the reports.

68 (3) The department shall make the reports publicly accessible on its website  
69 according to its established rules and procedures for publishing full reports and  
70 executive summaries on a public-facing website, and consistent with applicable federal  
71 and state laws.

72 (4) The department shall create a statewide annual summary of cumulative  
73 impacts from AI-optimized data centers and schedule a hearing or provide  
74 opportunities for public comment where significant environmental or health risks are  
75 identified.

76 7. Any violation of the provisions of this section including, but not limited to, a  
77 violation listed in subdivision (1) or (2) of this subsection shall result in the imposition of  
78 a civil penalty up to fifty thousand dollars per day:

79 (1) Failure to install a closed-loop system in compliance with the law; or

80 (2) Failure to submit an annual environmental and health report under  
81 subsection 5 of this section.

82 8. The department may suspend or revoke operational permits for repeated or  
83 willful noncompliance after a hearing conducted by the administrative hearing  
84 commission under chapter 621 and subject to the burden of proof provision under  
85 section 640.012.

86 9. (1) The department shall promulgate all necessary rules and regulations for  
87 the administration of this section including, but not limited to, the following:

88 (a) Definitions for the maximum permissible water use intensity (liters per  
89 megawatt-hour);

90 (b) Testing and certification procedures for compliance prior to operation; and

91 (c) Annual verification and penalties for false reporting or noncompliance.

92 (2) Before August 28, 2027, the department shall promulgate rules to  
93 standardize reporting formats, audit methods, and equivalency criteria for alternative  
94 cooling technologies.

95 10. Any rule or portion of a rule, as that term is defined in section 536.010, that  
96 is created under the authority delegated in this section shall become effective only if it  
97 complies with and is subject to all of the provisions of chapter 536 and, if applicable,  
98 section 536.028. This section and chapter 536 are nonseverable and if any of the powers  
99 vested with the general assembly pursuant to chapter 536 to review, to delay the  
100 effective date, or to disapprove and annul a rule are subsequently held unconstitutional,  
101 then the grant of rulemaking authority and any rule proposed or adopted after August  
102 28, 2026, shall be invalid and void.

103 11. The department shall coordinate with the department of health and senior  
104 services, public service commission, and local governments as deemed necessary for the  
105 protection of public health, conservation of water resources and providing  
106 environmental and community impact reports.

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