INTRODUCTION

Governors, legislators, and regulators play a critical role in shaping policies and regulations that can enhance the development, demonstration, and commercial deployment of a wide array of nuclear technologies. 2023 was another unprecedented year for nuclear policy in the United States with 20 states passing legislation to support nuclear energy. With the passage of the Inflation Reduction Act of 2022, nuclear energy has never seen more support for the nation’s largest source of carbon-free, reliable energy.

As state officials consider measures that address the changing energy mix, the Nuclear Energy Institute has produced this compendium providing a state-by-state overview of legislation, executive orders, and regulations that have supported nuclear energy since the early 2000s.

RECENT POLICY TRENDS

Valuing Carbon-Free Electricity Generation

- **Zero-emission credit programs**: Several states have adopted legislation or regulations that provide a payment at a set rate for every megawatt-hour of carbon-free electricity generation.

- **Clean energy standards**: Many states have renewable portfolio standards that require utilities to sell a specified amount of renewable energy. Some states are now looking to expand these requirements and modify the definition to include a broader scope of clean energy resources. Nuclear generation is often included in the expanded definition of clean energy resources because of the important role that it plays in an affordable, reliable, low-carbon energy system.

- **Market-based carbon pricing mechanisms**: As many states look to decarbonize the energy sector, there is a growing interest in regional greenhouse gas emission reduction programs, a carbon tax, or cap-and-trade programs that take advantage of the carbon-free benefits of nuclear power.

Financing and Tax Incentives

- **Tax exemptions**: Some states have passed laws allowing for certain tax exemptions on property and sales of electricity and for new capital investments associated with new reactor development.
Advanced cost recovery: Several states have considered advanced cost recovery mechanisms like Construction Work in Progress (CWIP), allowing a utility to collect financing costs for a project before construction is completed. This mechanism reduces the cost to finance a project and may lower the total project costs that eventually are included in the customer rate base.

Task Forces, Commissions, Studies and State Energy Plans

Task forces and commissions: Some states have established task forces or commissions that bring together various stakeholders, including government officials, academia, industry and others, to explore policy options to maintain existing nuclear facilities and support advanced reactor technologies.

Studies: Several states have requested studies exploring the potential economic impacts, job creation, and electricity customer cost savings related to siting and permitting new reactor technologies, including projects converting decommissioned coal sites to nuclear power.

State energy plans: Some Governors and state agencies have developed long-term plans to reach decarbonization goals that include nuclear energy.

Removing Prohibitions

Repealing laws prohibiting nuclear development: Some states have historically had specific restrictions on the construction of new nuclear power facilities. However, several states have recently removed these prohibitions to support potential new reactor development.

Increasing State Regulatory Responsibility

Public Service Commission requirements: Several states have passed bills directing the state Public Service Commission to study or adopt rules in support of advanced reactors.
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ALABAMA

Legislation: H.R. 84
Adopted March 2017
Encourages ongoing bipartisan efforts to spur the development of advanced nuclear reactors and innovative nuclear technologies.

ALASKA

Legislation: S.B. 177/H.B. 299
Enacted May 2022
Reduces barriers to the deployment of microreactors in remote communities.

Legislation: S.B. 220
Enacted July 2010
Establishes a statewide energy policy and levels the playing field for nuclear energy projects so that they can be considered alongside other energy sources. Allows small-scale nuclear reactor developers to apply for funding from the state’s Power Project fund.

ARIZONA

Resolution: Senate Concurrent Resolution 1010
Adopted April 2017
Recognizes that the Members of the Legislature support the use of nuclear energy as a safe and efficient means of energy production and express their commitment to the continuing and safe use of nuclear energy to supply the energy consumption needs of the people of Arizona.

Legislation: Senate Concurrent Memorial 1004
Adopted September 2012
Recognizes benefits of partnering with federal government and private industry to develop spent fuel reprocessing and storage sites.

ARKANSAS

Legislation: H.B. 1142
Enacted March 2023
Establishes the Arkansas Nuclear Recycling Program under the Division of Environmental Quality (DEQ).

Resolution: House Concurrent Resolution 1015
Adopted May 2019
Supports study of the commercial application of existing technology to reclaim and repurpose spent nuclear fuel rods.
Legislation: S.B. 246  
Enacted 2013  
Establishes a committee to report on the future of Arkansas’ energy needs, including the potential for new nuclear facilities.

**CALIFORNIA**

Regulation: Rulemaking 23-01-077  
Ordered December 2023  
The decision directs and authorizes extended operations at Diablo Canyon Nuclear Power Plant until October 31, 2029 (Unit 1) and October 31, 2030 (Unit 2). The approval is subject to the following conditions: 1. The NRC continues to authorize operations; 2. the $1.4 billion loan agreement authorized by S.B. 846 is not terminated; and 3. the Commission does not make a future determination that extended operations are imprudent or unreasonable.

Legislation: S.B. 846  
Enacted September 2022  
Authorizes the state to provide a $1.4 billion loan guarantee to the Diablo Canyon Nuclear Power Plant in order to extend plant operations through 2030.

**COLORADO**

Legislation: H.B. 23-1247  
Enacted August 2023  
Provides $50,000 to the director of Colorado’s energy office to conduct studies of electric transmission and advanced energy solutions technologies including advanced nuclear in rural Colorado.

Legislation: S.B. 18-003  
Enacted June 2018  
Requires the Colorado Energy Office to work with communities, utilities, private and public organizations, and individuals to promote cleaner energy sources such as nuclear energy, alongside biogas and biomass.

**CONNECTICUT**

Legislation: S.B. 7  
Enacted July 2023  
Expands the definition of Class I renewable energy sources to include Nuclear generating facilities built after October 1, 2023; establishes the Connecticut Council for Advancing Nuclear Energy Development; and requires the Department of Energy and Environmental Protection (DEEP) to study the feasibility of deploying small modular reactors, advanced nuclear reactors, fusion energy facilities, and other zero carbon resources.
Legislation: H.B. 5202  
Enacted May 2022  
Partially repeals the state's nuclear moratorium to allow for advanced reactor deployment within the footprint of existing nuclear facilities.

Legislation: H.B. 1501  
Enacted October 2017  
Allows for the Millstone nuclear power plant to participate in the state’s zero-carbon procurement program.

Executive Order: No. 59  
Signed 2017  
Requires the state to study the economic viability of the Millstone nuclear generating facility.

**FLORIDA**

Legislation: H.B. 7109  
Enacted June 2015  
Authorizes electric utilities to petition the Florida Public Service Commission (PSC) for financing orders that authorize the issuance of nuclear asset recovery bonds.

Legislation: S.B. 1472  
Enacted June 2013  
Amends existing Florida law for certain cost recovery related to the siting, design, licensing, and construction of nuclear and integrated gasification combined cycle power plants.

Legislation: H.B. 7135  
Enacted June 2008  
Permits cost recovery for transmission lines for new nuclear power plants and establishes greenhouse gas reduction targets.

Legislation: S.B. 888  
Enacted June 2006  
Supports the construction of new nuclear plants through several provisions including: exempting new nuclear plants from the mandatory competitive bidding process and instructing the Public Service Commission to establish alternative cost recovery mechanisms.

**GEORGIA**

Regulation: Docket No. 29849 Georgia Public Service Commission  
Ordered December 2023  
Unanimously approves Georgia Power’s application to adjust rates to include reasonable and prudent costs from Plant Vogtle Units 3 and 4.
Regulation: Docket No. 27800 Georgia Public Service Commission
Ordered March 2009
Approves a utility request to proceed with the construction of two new generating units at Vogtle and to seek recovery of financing costs from ratepayers; state law requires the company to obtain such a certification.

Legislation: S.B. 31
Enacted April 2009
Allows a utility to recover from its customers the costs of financing associated with the construction of a nuclear plant that has been certified by the Georgia Public Service Commission.

IDAHO
Legislation: H.B. 96
Enacted July 2023
Expands the definition of clean energy to include nuclear, hydrogen, energy/battery storage, and other non-carbon emitting resources.

Executive Order: No. 2018-07
Signed June 2018
Supports the continued promotion, advancement and deployment of advanced reactor technologies, including small modular reactors, in Idaho.

Legislation: H.B. 591
Enacted March 2018
Allows for tax exemptions for research and development opportunities associated with small modular reactors.

Executive Order: No. 2012-01
Signed February 2012
Establishes the Leadership in Nuclear Energy (LINE) Commission tasked with making recommendations to the Governor on policies and actions the state of Idaho can take to support and enhance the long-term viability and mission of the Idaho National Laboratory and the broader nuclear industry in the state.

Legislation: S.B. 1123
Enacted April 2009
Recognizes that utilities are embarking on major transmission and generation projects to serve growing loads during a period when financial markets are risk-averse and is designed to provide the stability necessary to attract investors at a more reasonable cost-of-capital.
ILLINOIS

Legislation: H.B. 2473
Enacted December 2023
Repeals the moratorium on new construction, allowing for the construction of advanced nuclear reactors 300MW or smaller beginning in 2026, and authorizes the Governor to establish a commission to study the potential for development of SMRs in the state.

Legislation: S.B. 18
Enacted September 2021
Establishes a zero-emission credit program for the Byron, Dresden, and Braidwood nuclear facilities within the state.

Legislation: S.B. 2814
Enacted December 2016
Establishes a zero-emission credit program for the Clinton and Quad Cities nuclear facilities within the state.

Resolution: House Resolution 1146
Adopted May 2014
Supports the state’s existing nuclear fleet and urges the federal government and the Midwest grid operator to adopt policies and rules to protect Illinois’s nuclear plants for the sake of the environment, the economy, and energy reliability.

INDIANA

Regulation: Docket 170 IAC 4-11 Indiana Regulatory Utility Commission
Ordered June 30, 2023
Adopts requirements granting the certification for the construction, purchase, or lease of small modular reactors by a public utility.

Legislation: S.B. 176
Enacted April 2023
Changes the rated electric generating capacity from 350 megawatts to 470 megawatts for purposes of the definition of "small modular nuclear reactor" as used in the statutes concerning: (1) certificates of public convenience and necessity issued by the Indiana utility regulatory commission for the construction, lease, or purchase of electric generation facilities; and (2) financial incentives for energy utilities that invest in clean energy projects.

Legislation: H.B. 1421
Enacted March 2023
Requires the Indiana utility regulatory commission (IURC) to issue an order granting or denying an application for a certificate of public convenience and necessity (certificate) not later than 240 days after the filing of the application and the submission of the applicant's case in chief.
Legislation: S.B. 271  
Enacted March 2022  
Requires the Indiana Utility Regulatory Commission to adopt rules concerning the granting of certificates for the construction, purchase, or lease of small modular nuclear reactors.

Resolution: House Resolution 54  
Adopted March 2013  
Urges a study on small modular reactors that includes economic issues such as cost, economic impact, potential job creation, and cost savings for electricity consumers, as well as technical, design, and regulatory questions.

Legislation: S.B. 251  
Enacted May 2011  
Provides financial incentives to assist electric companies with nuclear generating facilities to recover costs and expenses incurred during comprehensive life cycle management upgrades to existing facilities.

IOWA  
Legislation: H.F. 2399  
Enacted April 2010  
Requires certain Iowa utilities to analyze and prepare for the possible construction of new nuclear generating facilities and encourages utilities to perform studies on expanding nuclear power in the state, at limited cost to ratepayers and with oversight of the Iowa Utilities Board.

Legislation: H.F. 577  
Enacted 2001  
 Specifies that rate-making principles will apply when a new baseload generating facility (built or leased) begins service before construction commences or a lease is signed.

KANSAS  
Legislation: S.B. 586  
Enacted May 2008  
Allows power plants to qualify for recovery of Construction Work in Progress (CWIP) and other preconstruction expenditures in rates.

Legislation: H.B. 2038  
Enacted April 2007  
Exempts from state property taxes any property purchased, constructed or installed to expand capacity at an existing nuclear plant or to build a new nuclear plant.
**Legislation: Substitute for H.B. 2516**
Enacted April 2004

Allows the Kansas Corporation Commission (KCC) to make adjustments to a utility’s revenue requirements allowing the utility to retain benefits equivalent to 10 percent of the net revenue from electricity sold to out-of-state customers generated from a new or expanded generator in a county with 5 percent or less population growth.

**Legislation: Substitute for S.B. 104**
Enacted April 2003

Permits the Kansas Corporation Commission to determine rate-making principles that will apply to a utility’s investment in generation or transmission before constructing a facility or entering into a contract for purchasing power.

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**Kentucky**

**Resolution: Senate Joint Resolution 79**
Adopted March 2023

Establishes the Nuclear Energy Development Working Group, which is tasked with identifying the barriers to the deployment of nuclear power generation and related technologies and to consult with stakeholders to develop recommendations for the role of a permanent nuclear energy commission to be established in state government. Final Nuclear Energy Working Group Report

**Legislation: S.B. 11**
Enacted June 2017

Removes the moratorium on the construction of new nuclear facilities within the state.

**Legislation: H.B. 559**
Enacted April 2012

Allows for the construction of facilities that use certain nuclear technologies including the enrichment of depleted uranium hexafluoride tails, processing of metals contaminated with radioactive materials, recycling or reprocessing of spent fuel, and nuclear-assisted coal or gas conversion processes.

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**Louisiana**

**Regulation: Docket No. X-36987 Louisiana Public Service Commission**
Effective September 28, 2023

The Commission has opened a docket to study and track the development of advanced reactors in the state. The study includes an assessment of small modular reactors, microreactors, and nuclear battery configurations. No specific timeline has been given regarding the study and no interventions will be received as part of this docket.
Regulation: Docket No. R-29712 Louisiana Public Service Commission
Ordered May 2007
Allows for a phased cost recovery mechanism on construction work in progress for nuclear facilities.

MARYLAND
Legislation: S.B. 528
Enacted April 2022
Establishes greenhouse gas emission reduction targets and recognizes the critical role that nuclear power plays in the state’s clean energy generation profile.

Regulation: Case No. 9127 Maryland Public Service Commission
Ordered June 2009
 Grants a Certificate of Public Convenience and Necessity to construct a new reactor at the Calvert Cliffs facility in Calvert County.

MICHIGAN
Legislation: S.B. 271
Enacted November 2023
Requires a clean energy portfolio for Michigan and includes nuclear energy generation as part of the state’s clean energy definition. Renewable Energy targets of 15% through 2029, 50% by 2030 and 60% by 2035.

Legislation: H.B. 4437
Enacted July 2023
Includes as part of the state’s 2023-2024 budget, $150 million to support efforts to reopen the Palisades power plant.

Legislature Launches Bipartisan Nuclear Energy Caucus
2023 Legislative Session

Regulation: Case No. U-21358 Michigan Public Service Commission
Effective March 24, 2023
Following the 2022 legislation, the Commission established a Nuclear Feasibility Study Workgroup and hired a firm to draft a study examining the potential for advanced reactors in the state. The study was due back to the Commission in March 2023 and will be transmitted to the legislature in April 2024.

Legislation: H.B. 6019
Enacted October 2022
Directs the Michigan Public Service Commission to engage an outside consulting firm to examine the feasibility of nuclear power generation in the state.
Resolution: Senate Concurrent Resolution 8  
Last Adopted April 2017 (duplicate resolutions passed previously)  
Urges the federal government to fulfill its obligation to establish a permanent solution for handling high-level nuclear waste.

Legislation: H.B. 5524  
Enacted October 2008  
Creates a certificate of necessity for large capital investments, including the construction of nuclear plants.

MINNESOTA  
Legislation: H.F. 7/S.F. 4  
Enacted February 2023  
All utilities must provide Minnesota customers with 100 percent carbon-free electricity by 2040. The state’s definition of carbon-free energy includes all carbon-free generation sources.

MISSISSIPPI  
Legislation: H.B. 863  
Enacted June 2020  
Exempts nuclear generating facilities from county, municipal, and district ad valorem taxes, instead requiring the utility pay the state Department of Revenue a sum based on the assessed value of such nuclear generating plant.

Legislation: S.B. 2928  
Enacted April 2019  
Authorizes the Board of Trustees of the Vicksburg Warren School District and the Claiborne County Board of Education to establish a partnership with the Entergy Grand Gulf Nuclear Station, Warren County, and the Mississippi Development Authority for a Nuclear Energy High School Academy.

Legislation: S.B. 2793  
Enacted May 2008  
Authorizes the Public Service Commission to include in an electric utility’s rates certain pre-construction, construction work in progress, operating and other costs incurred in connection with certain new baseload generating facilities, including nuclear.

MONTANA  
Legislation: H.B. 273  
Enacted May 2021  
Removes a provision in the Montana Major Facility Siting Act which required the public to approve any proposed nuclear energy facilities through a statewide election.
Resolution: Senate Joint Resolution 3
Adopted May 2021
Requires a study of the feasibility of advanced nuclear generation, including an evaluation of the economic feasibility of replacing closing coal facilities with advanced nuclear reactors.

NEBRASKA
Legislation: L.B. 568
Enacted May 2023 (portions amended into LB565 in June 2023)
Establishes a 12-member working group appointed by the Governor to study and determine the workforce training needs of the nuclear and hydrogen industries.

Legislation: L.B. 1014
Enacted April 2022
Appropriates $1 million to the state Department of Economic Development for use by a political subdivision that owns or operates a nuclear plant in the state to conduct an advanced reactor feasibility study.

Legislation: L.B. 84
Enacted May 2021
Adds nuclear energy to the qualifying renewable energy sources eligible for a business tax incentive.

NEW HAMPSHIRE
Legislation: H.B. 543
Enacted June 2022
Establishes a commission to study nuclear power and nuclear reactor technology in New Hampshire.

Final Report: Commission to Investigate the Implementation of Next-Generation Nuclear Reactor Technology in New Hampshire (nuclearnh.energy)

NEW JERSEY
Regulation: Docket No. ER20080557-9 New Jersey Board of Public Utilities
Ordered April 2021
Renews the zero-emission credit program for Hope Creek and Salem nuclear power plants for an additional three years.

Regulation: Docket No. EO18080899, EO18121337-9 New Jersey Board of Public Utilities
Ordered April 2019
The Board of Public Utilities approves a zero-emissions credit program for Hope Creek and Salem nuclear power plants.
Legislation: S.B. 2313  
Enacted May 2018
Requires the New Jersey Board of Public Utilities to create a zero-emission certificate program that would provide up to $300 million annually to support qualifying low carbon electricity sources, such as nuclear power.

NEW MEXICO
Resolution: House Memorial 57  
Adopted February 2014
Requests a study to determine the feasibility, societal benefits, and required regulatory changes associated with the deployment of small modular reactors.

NEW YORK
Regulation: Cases 15-E-0302 and 16-E-0270 New York Public Service Commission  
Ordered August 2016
Establishes a clean energy program and allows for the creation of zero-emission credit program to preserve certain existing zero-emission nuclear generation in the state.

NORTH CAROLINA
Legislation: S.B. 678  
Enacted October 2023
Replaces statutory definition of renewable energy with clean energy. Includes nuclear and fusion in definition of clean energy.

Regulation: Docket No. E-100 Sub 179 North Carolina Utilities Commission  
Ordered December 2022
Requires Duke Energy Carolinas to pursue the license extensions for its existing nuclear fleet and authorizes the utility to incur project development costs associated with new nuclear generation. The Commission requires the utility to report on the status of license extensions for the existing nuclear fleet, as well as activities and costs incurred in support of new nuclear generation as part of the utility’s combined carbon plan and integrated resource plan due to the Commission on Sept. 1, 2023.

Legislation: H.B. 951  
Enacted October 2021
Establishes utility carbon reduction goals of 70% of 2005 levels by 2030 and 95% by 2050 and requires utilities to submit a carbon reduction plan to the NC Utilities Commission by December 31, 2022.

Regulation: Docket No. E-7 Sub 819 North Carolina Utilities Commission  
Ordered June 2008
Allows Duke Energy to recover certain development costs associated with construction of the Lee Nuclear Generating Station.

Legislation: S.B. 3
Enacted August 2007
Allows public utilities to apply for advance determination of prudence for construction of “resource additions” such as renewable energy facilities, transmission facilities, demand response, and energy conversion facilities.

NORTH DAKOTA

Resolution: House Concurrent Resolution 3034
Adopted April 2023
Recommends the state study sustainable energy policies to maximize the economic viability of existing energy sources, assess future demands on electricity in the state, and determine the feasibility of advanced nuclear energy development and transmission in the state.

Resolution: House Concurrent Resolution 3015
Adopted March 2023
Urges the federal government to recognize natural gas and nuclear energy as environmentally sustainable economic activities.

Legislation: H.B. 1221
Enacted April 2011
Allows public utilities to apply for advance determination of prudence for construction of “resource additions” such as renewable energy facilities, transmission facilities, demand response, and energy conversion facilities.

OHIO

Legislation: H.B. 33
Enacted July 2023
Establishes the Ohio Nuclear Development Authority within the Ohio Department of Development and included $750,000 to establish an Ohio State Nuclear Technology Research Program that will develop and study advanced nuclear research reactors.

Legislature Launches a Nuclear Energy Caucus
2019 Legislative Session

Resolution: House Resolution 518
Adopted 2017
Petitions the U.S. Department of Energy to establish rules and programs that would allow states, in collaboration with the federal government, to develop new nuclear technologies and laboratories and to construct facilities to conduct nuclear-related testing.
Regulation: Case No. 08-888-EL-ORD Ohio Public Service Commission
Ordered April 2009
Authorizes the development of an alternative energy standard requiring 25% of total energy be met by alternative sources, including nuclear.

Legislation: S.B. 221
Enacted May 2008
Establishes the state’s alternative energy resource standard and includes nuclear in its definition of an advanced energy resource.

PENNSYLVANIA
Resolution: House Resolution 238
Adopted November 2022
Directs the Joint State Government Commission to conduct a holistic study on the benefits of nuclear energy and small modular reactors.

Legislators Launch a Bicameral, Bipartisan Nuclear Energy Caucus and Release the “Bicameral Nuclear Energy Caucus Report.”
2017-2018 Legislative Session
Legislation: S.B. 227/H.B. 576
Enacted October 2017
Urges the Federal Energy Regulatory Commission (FERC) to implement policies to ensure fuel secure generation resources like nuclear energy receive proper compensation for the positive attributes they provide the nation’s electric system.

Legislation: H.B 750
Enacted June 2012
Memorializes the President and the U.S. Congress to provide for the storage of used nuclear fuel.

SOUTH CAROLINA
Legislation: H. 4300
Enacted July 2023
Includes $40,000,000 in the budget for the Battelle Alliance at Savannah River National Lab of which twenty percent shall be allocated to South Carolina State University, forty percent to the University of South Carolina, and forty percent to Clemson University.

Resolution: S. 822
Adopted June 2023
Congratulates Duke Energy’s Oconee Nuclear Station upon the occasion of its fiftieth anniversary and commends the station for its many years of dedicated service to Oconee County and the people and the state of South Carolina.
Legislation: H. 4940  
Enacted September 2020

Establishes the Electricity Market Reform Measures Study Committee to consider whether the Legislature should adopt electricity market reform measures and recognizes the carbon-free and economic benefits of nuclear power.

Legislation: S. 232  
Enacted May 2009

Requires that strategies of the state energy office promoting carbon-free clean energy must include nuclear energy, renewable energy sources, and conservation and efficiency measures.

Regulation: Docket No. 2007-440-E South Carolina Public Service Commission  
Ordered June 2008

Approves Duke Energy’s decision to incur pre-construction project development costs for the proposed Lee Nuclear Station.

Legislation: S. 431  
Enacted May 2007

Allows the Public Service Commission to grant a project development order for nuclear projects and a base load review order for any base load facility, including nuclear projects.

SOUTH DAKOTA

Resolution: Senate Concurrent Resolution 601  
Adopted February 2023

Encourages the legislature to consider establishing an interim legislative committee to examine the potential use of nuclear power in South Dakota, to include a nuclear power plant, for the establishment of a safe, clean, and reliable source of energy for South Dakota.

Regulation: Docket No. EL23-002 South Dakota Public Utilities Commission  
Ordered February 28, 2023

The Commission approved Northwestern Energy’s request to allow for deferred accounting treatment beginning March 1, 2023 for costs to study new nuclear.

TENNESSEE

Legislation: H.B. 0946/ S.B. 1389  
Enacted July 2023

Establishes that nuclear power is a permissible source of clean energy used by a public utility. The legislation also established that nuclear power is a permissible source of renewable energy used by a public utility.
Executive Order: Executive Order 101
Enacted May 2023
Creates the Tennessee Nuclear Energy Advisory Council, which seeks to build upon the state’s legacy in nuclear innovation and drive continued investment to create a nuclear energy ecosystem for the future of Tennessee.

State Budget:
Enacted May 2023
$50 million to the Tennessee Department of Economic and Community Development to develop nuclear supply chain companies.

Resolution: House Joint Resolution 507
Adopted March 2016
Supports the research and development of liquid core molten salt reactors and small modular reactors technologies as a long-term solution to the state’s energy needs.

Resolution: Senate Joint Resolution 92
Adopted April 2015
Encourages the Nuclear Regulatory Commission to support the license application of the Tennessee Valley Authority related to the safe operation of Watts Bar Nuclear Plant Unit 2.

TEXAS

Executive Action: Governor’s Instruction
August 2023
The Governor instructed the Public Utility Commission of Texas (PUCT) to establish a working group to study and plan for the use of advanced reactors in Texas. The working group will submit a plan and recommendations to the Governor by December 1, 2024.

Legislature Launches Bipartisan Nuclear Energy Caucus
2023 Legislative Session

Legislation: H.B. 1
Enacted June 2023
Provides $18.5 million over two years to support University of Texas at Austin’s Digital Molten Salt Reactor Initiative.

Resolution: House Concurrent Resolution 81
Adopted April 2013
Commemorates the 50th anniversary of the agreement between the state of Texas and the Nuclear Regulatory Commission regarding radioactive materials.

Legislation: H.B. 1386
Enacted May 2007
Gives the Public Service Commission authority to regulate decommissioning trust funds for up to six new nuclear power plants under construction before 2015.
Legislation: H.B. 2994
Enacted May 2007
Expands existing legislation that enables local taxing authorities to grant property tax abatements adding new nuclear plants and integrated gasification combined cycle facilities as eligible projects.

**U T A H**

Legislation: H.B. 426
Enacted July 2023
Requires the Office of Energy Development to prepare a strategic energy plan that includes nuclear energy.

Resolution: Senate Concurrent Resolution 6
Adopted March 2019
Supports the development and integration of advanced nuclear reactor technology as a way of supporting the state’s continued economic growth while addressing the health of the environment and of state residents.

Legislation: S.B. 24
Enacted March 2019
Amends the state energy policy to promote nuclear generation technologies including molten salt reactors for producing medical isotopes.

Legislation: H.B. 169
Enacted March 2018
Reduces the annual fee paid by an owner or operator of a commercial radioactive waste treatment or disposal facility that receives radioactive waste.

Legislation: S.B. 65
Enacted March 2012
Provides tax incentives for alternative energy development and manufacturing and includes nuclear energy in the definition.

Legislation: H.B. 430
Enacted March 2009
Provides incentives to develop renewable energy projects, including nuclear energy generation facilities, in order to spur economic development.

Resolution: Senate Joint Resolution 16
Adopted March 2009
Encourages new nuclear plant development in Utah for its beneficial impacts on the economy, fuel diversification, and the environment.
VIRGINIA

Legislation: H.B. 2386/ S.B. 1464
Enacted March 2023
Establishes the Virginia Power Innovation Fund; the Virginia Power Innovation Program; and the Virginia Nuclear Innovation Hub.

Legislation: H.B. 1779
Enacted March 2023
Establishes the Nuclear Education Grant Fund and Program, for the purpose of awarding grants on a competitive basis to any public or private higher education institution that seeks to establish or expand a nuclear education program.

Legislation: H.B. 894
Enacted July 2022
Directs the Virginia Department of Energy, in cooperation with the Virginia Nuclear Energy Consortium Authority, to convene a stakeholder working group to identify strategies and any needed public policies, including statutory or regulatory changes, for promoting the development of advanced small modular reactors in the Commonwealth.

Resolution: Senate Joint Resolution 60
Adopted April 2020
Encourages the advancement of nuclear energy research and the exploration of economic development opportunities related to nuclear energy.

Legislation: H.B. 981
Enacted April 2020
Mandates that the state join the Regional Greenhouse Gas Initiative.

Legislation: S.B. 828
Enacted April 2020
Amends the definition of carbon-free energy or clean energy to include electric energy generated from a source that does not emit carbon dioxide during generation, including nuclear energy.

Legislation: S.B. 817
Enacted April 2020
Broadens statute definition of clean energy to include nuclear generation.

Legislation: H.B. 1303/S.B. 549
Enacted April 2020
Directs several state agencies to work in coordination with the Nuclear Energy Consortium Authority to develop a strategic plan for the role of nuclear energy in the state’s overall strategy for moving toward renewable and carbon-free energy.
Legislation: H.B. 2008/S.B. 1348  
Enacted March 2019  
Directs the state Department of Education to work in consultation with pertinent industries, such as nuclear energy, to establish the energy career cluster.

Legislation: H.B. 2291  
Enacted March 2017  
Authorizes an investor-owned utility to petition the State Corporation Commission for certain cost recovery for the license renewal and nuclear plant upgrades necessary for operating in the license renewal period, including second license renewal.

Legislation: S.B. 459*  
Enacted April 2014  
*Struck April 2020  
Establishes that planning and development for new nuclear generation facilities are in the public interest and allows nuclear development costs to be included in base rates.

Legislation: S.B. 1138/H.B. 1790  
Enacted March 2013  
Establishes the Virginia Nuclear Energy Consortium Authority to make Virginia a national and global leader in nuclear energy, and to serve as an interdisciplinary study, research, and information resource on nuclear energy issues.

Legislation: H.B. 3068/S.B. 1416  
Enacted April 2007  
Amends the ratemaking procedure of the State Corporation Commission and requires that the determined rate of return on common equity shall not be lower than the average rate of return of other investor-owned electric utilities in the southeastern U.S.

WASHINGTON  
Legislature Launches Nuclear Energy Caucus  
2023 Legislative Session  

Governor’s Proclamation  
Signed 2016-2022  
In recognition of nuclear science and technology for National Nuclear Science Week.

Legislation: S.B. 5116  
Enacted May 2019  
Enacts a clean electricity standard, eliminating coal generation by 2025 and mandating 100% clean energy by 2045.

Legislation: S.B. 6002  
Enacted 2014  
Creates a joint select task force on nuclear energy to study the potential of nuclear power in the region.
WEST VIRGINIA

Legislation: H.B. 2814
Enacted May 2023
Creates a hydrogen power task force to study clean hydrogen, including hydrogen produced by nuclear.

Resolution: House Concurrent Resolution 11
Adopted February 2023
Urges the state’s institutions of higher education to establish an education consortium to assist the state government with the development of policies and programs necessary to facilitate nuclear energy developments in West Virginia.

Legislation: S.B. 4/H.B. 2882
Enacted April 2022
Repeals the moratorium on the construction of new nuclear facilities within the state.

WISCONSIN

Legislation: Act 344
Enacted April 2016
Repeals the moratorium on the construction of new nuclear facilities within the state.

Legislation: Act 7
Enacted May 2005
Allows the PSC to issue an order specifying in advance the rate-making principles that will apply to a new electric generating facility (built or purchased) before construction commences or the purchase contract is closed.

WYOMING

Funding: Energy Matching Funds
Enacted December 2023
Wyoming Energy Authority provides $10 million to assess microreactor deployment in Wyoming.

Legislation: H.B. 131
Enacted March 2022
Reduces barriers to the deployment of advanced reactor technologies and removes, under certain circumstances, a tax on nuclear electricity generation.

Legislation: H.B. 74
Enacted March 2020
Authorizes permits for small modular reactors (SMRs) to replace coal- or natural gas-generating units so long as the SMR’s rated capacity is not greater than 300 megawatts (MW).
Legislation: S.F. 23  
Enacted March 2016  
Enters applicable state agencies into NRC agreement authorization to regulate certain nuclear adjacent commodities.

Legislation: H.B. 27  
Enacted March 2015  
Enters applicable state agencies into NRC agreement authorization to regulate certain nuclear adjacent commodities.

Legislation: S.F. 14  
Enacted March 2012  
Directs the Wyoming Business Council to partner with the Department of Energy to study the feasibility of locating advanced nuclear facilities within the state.

Legislation: S.F. 12  
Enacted March 2012  
Directs the Taskforce on Nuclear Energy Production to study a variety of nuclear energy issues with the primary goal of incentivizing the development of new facilities within the state.

Legislation: H.B. 129  
Enacted March 2011  
Creates a task force on nuclear energy production to study ways to encourage nuclear power in Wyoming including tax incentives, water rights, public-private partnerships, state laws, storage and reprocessing technologies, and higher education.

ADDITIONAL RESOURCES

National Association of Regulatory Utility Commissioners:
- Nuclear Generation in Long-Term Utility Resource Planning
- Nuclear Energy as a Keystone Clean Energy Resource

National Conference of State Legislatures:
- What Role Will Nuclear Energy Play in the Clean Energy Transition?
- State Options to Keep Nuclear in the Energy Mix
- State Renewable Portfolio Standards and Goals
- State Restrictions on New Nuclear Power Facility Construction

National Governors Association:
- State Policy Support for Nuclear Generation

Nuclear Energy Institute:
- State Policy Options to Support New Nuclear Energy
- State Fact Sheets: Learn More About Nuclear Energy’s Impact on Your State