

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3175 _____
 _____ Of the printed Bill
 Page _____ Section _____ Lines _____
 _____ Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Nick Archer

Adopted: _____

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3175

By: Archer

7
8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to nuclear energy; defining terms;
10 creating the Oklahoma Advanced Nuclear Energy Office;
11 stating purposes of Office; establishing certain
12 duties for the Office; prohibiting certain gifts;
13 prohibiting requirement that certain project be in a
14 specific location; authorizing the adoption of
15 certain rules; requiring Oklahoma Corporation
16 Commission promulgate certain rules; stating
17 Commission shall not be required to adopt certain
18 language; stating the constitutional or statutory
19 authority of Commission shall not be superseded;
20 requiring Governor appoint Director; listing
21 requirements for Director; listing duties of
22 Director; authorizing the hiring of staff; requiring
23 submission of certain strategic plan; authorizing the
24 hiring of a Nuclear Permitting Coordinator; requiring
coordinator have familiarity with certain processes;
listing duties of coordinator; requiring coordinator
provide certain assistance; requiring certain
documentation be kept and available to public upon
request; creating the Oklahoma Advanced Nuclear
Development Revolving Fund; stating type of fund;
stating content of fund; listing purpose of fund;
providing for expenditures; requiring the
establishment of certain grant program; requiring
certain actions be complete grants may be issued;
requiring specific legislative appropriations for
grant issuance; providing details on granting of
funds; requiring applicants submit certain
information; prohibiting applicants from receiving
certain grants; requiring certain notice of proposed

1 grants; disallowing approval of certain grants if
2 disapproved by certain individuals; authorizing
3 extension of review; requiring certain written
4 agreement; detailing terms of written agreement;
5 limiting amount of grant awards; authorizing certain
6 reimbursement grants; listing expenses that qualify
7 for reimbursement; requiring the showing proof of
8 certain expenses; limiting amount of reimbursement
9 grants; authorizing the promulgation of certain
10 rules; requiring certain permit for certain
11 reimbursement grant; authorizing the distribution of
12 grants on a rolling basis; stating process for
13 distribution; authorizing grant for completion of an
14 operating nuclear reactor that make certain
15 interconnection; requiring the establishment of
16 certain procedures; requiring certain application
17 evaluation be made; listing criteria for evaluation;
18 requiring certain information submitted be deemed
19 confidential; providing for codification; and
20 providing an effective date.

21 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

22 SECTION 1. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 10.10 of Title 74, unless there
24 is created a duplication in numbering, reads as follows:

As used in this act:

1. "Advanced nuclear project" means an electric generation
facility that relies on an advanced nuclear reactor to generate
power, steam, or heat, a nuclear fuel cycle facility that supplies
advanced nuclear reactors, or associated technologies supporting the
advanced nuclear energy industry;

2. "Advanced nuclear reactor" means a range of nuclear reactor
technologies determined by the United States Regulatory Commission

1 to be either of generation III+ or generation IV, including large
2 light water reactors, small modular reactors, microreactors, and
3 nuclear cogeneration;

4 3. "Construction permit" means a permit issued by the
5 Regulatory Commission for the construction of:

- 6 a. a nuclear production or utilization facility, or
- 7 b. a research or test reactor that contributes to the
8 future commercialization of that research or test
9 reactor technology;

10 4. "Director" means the Director of the Advanced Nuclear Energy
11 Office;

12 5. "License" means a license issued by the Regulatory
13 Commission that authorizes the license holder to construct and
14 operate a nuclear power facility, such as a nuclear plant at a
15 specific site, with specified conditions;

16 6. "Office" means the Oklahoma Advanced Nuclear Energy Office
17 established under Section 2 of this act;

18 7. "Regulatory Commission" means the United States Nuclear
19 Regulatory Commission; and

20 8. "Utility Commission" means the Oklahoma Corporation
21 Commission.

22 SECTION 2. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 10.11 of Title 74, unless there
24 is created a duplication in numbering, reads as follows:

1 A. There is hereby created the Oklahoma Advanced Nuclear Energy
2 Office. The Office shall be an office administratively housed
3 within the Governor's office and shall be assigned to the Oklahoma
4 Secretary of Energy and Environment.

5 B. The purposes of the Office are to provide statutory and
6 regulatory readiness for advanced nuclear energy and to:

7 1. Provide strategic leadership for the advanced nuclear
8 reactor system in this state;

9 2. Promote the development of advanced nuclear reactors for
10 dispatchable electric generation while creating high-wage advanced
11 manufacturing jobs in this state;

12 3. Advance innovative nuclear energy generation technologies
13 while delivering safe, reliable, and clean energy solutions that
14 address the state's growing demand;

15 4. Enhance the state's energy security, foster economic growth,
16 and ensure the safety of future nuclear energy generation
17 development;

18 5. Identify barriers to the financial viability of nuclear
19 energy generation and regulatory and licensing complexities that
20 increase risk to developers of nuclear energy;

21 6. Leverage the expertise and capacity of institutions of
22 higher education, the nuclear energy industry, the industrial
23 manufacturing sector, and regulatory stakeholders to develop a
24

1 comprehensive strategic plan to ensure the development of advanced
2 nuclear energy and associated technologies in this state; and

3 7. Support the development of an advanced nuclear energy supply
4 chain and associated technologies in this state.

5 C. The Office shall:

6 1. Develop and propose a comprehensive statutory and regulatory
7 framework for advanced nuclear energy. The statutory and regulatory
8 framework developed by the Office shall be substantive and ready for
9 implementation;

10 2. Draft and recommend rules addressing areas of state
11 jurisdiction not preempted by the United States Nuclear Regulatory
12 Commission;

13 3. Coordinate with the Oklahoma Corporation Commission;

14 4. Identify any statutory gaps requiring legislative action;

15 5. Submit completed statutory and regulatory framework and
16 recommendations for advanced nuclear energy to the Governor, Speaker
17 Pro Tempore of the Oklahoma State Senate, the Speaker of the
18 Oklahoma House of Representatives, and the Oklahoma Corporation
19 Commission, by December 1, 2027.

20 D. The Office may not accept a gift, grant, or loan from or
21 contract with an applicant for or a beneficiary of a grant provided
22 pursuant to this act.

23 E. The Office may not require an advanced nuclear project to be
24 located in a specific location.

1 F. The Office may promulgate rules as necessary to carry out
2 the provisions of this act.

3 G. The Oklahoma Corporation Commission shall promulgate rules
4 within its constitutional and statutory jurisdiction to implement
5 the regulatory framework provided by the Office. The Corporation
6 Commission shall not be compelled to adopt specific draft language
7 provided by the Office, but shall initiate rulemaking following
8 submission of completed regulatory framework. Nothing in this act
9 shall be construed to limit, impair, supersede, or otherwise affect
10 the constitutional or statutory authority of the Oklahoma
11 Corporation Commission over public utilities, electric generation
12 facilities, transmission providers, natural gas utilities, or any
13 other entity subject to its jurisdiction.

14 SECTION 3. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 10.12 of Title 74, unless there
16 is created a duplication in numbering, reads as follows:

17 A. The Governor shall appoint a Director of the Oklahoma
18 Advanced Nuclear Energy Office or may assign the duties of the
19 Director to the Oklahoma Secretary of Energy and Environment. The
20 Director shall serve at the pleasure of the Governor.

- 21 B. The Director shall have demonstrated:
- 22 1. Experience in the field of advanced nuclear energy; and
 - 23 2. Executive and organizational ability.

24

1 C. The Director shall not have any direct or indirect interests
2 that substantially conflict with the Director's duties.

3 D. The Director shall:

4 1. Manage the affairs of the Office;

5 2. Administer programs established by this act; and

6 3. Establish appropriate milestones and standards to ensure
7 proper use of money pursuant to this act.

8 E. The Director may hire staff as necessary to implement the
9 duties of the Office pursuant to this act.

10 SECTION 4. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 10.13 of Title 74, unless there
12 is created a duplication in numbering, reads as follows:

13 Not later than December 1 of each even-numbered year, the
14 Director of the Oklahoma Advanced Nuclear Energy Office shall submit
15 to the Governor, the President Pro Tempore of the Oklahoma State
16 Senate, and the Speaker of the Oklahoma House of Representatives a
17 strategic plan for furthering the goals, purposes, and objectives
18 established by this act.

19 SECTION 5. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 10.14 of Title 74, unless there
21 is created a duplication in numbering, reads as follows:

22 A. The Director of the Oklahoma Advanced Nuclear Energy Office
23 may employ a Nuclear Permitting Coordinator to assist businesses
24 throughout the nuclear energy permitting and regulatory process.

1 B. A Nuclear Permitting Coordinator shall have a demonstrated
2 familiarity with the permitting and regulatory process in this
3 state.

4 C. The Nuclear Permitting Coordinator shall:

5 1. Act as a single point of contact for stakeholders during the
6 nuclear energy permitting and regulatory process;

7 2. Identify active or likely siting opportunities and required
8 permits and approvals for nuclear energy generation sites and key
9 personnel; and

10 3. Provide guidance for regulated persons navigating local,
11 state, and federal regulations for nuclear energy generation
12 facilities.

13 D. The Nuclear Permitting Coordinator shall make any assistance
14 provided under this section equally available to all businesses
15 engaged in the nuclear energy permitting and regulatory process.

16 E. The Nuclear Permitting Coordinator shall document all
17 activities carried out in the provision of assistance under this
18 section and make that information available to the public on
19 request.

20 SECTION 6. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 10.15 of Title 74, unless there
22 is created a duplication in numbering, reads as follows:

23 There is hereby created in the State Treasury a revolving fund
24 for the Oklahoma Advanced Nuclear Energy Office, established under

1 Section 2 of this act, to be designated the "Oklahoma Advanced
2 Nuclear Development Revolving Fund". The fund shall be a continuing
3 fund, not subject to fiscal year limitations and shall consist of
4 such sources as may be provided by law and any available federal
5 funding. All monies accruing to the credit of the fund shall be
6 budgeted and expended by the Oklahoma Advanced Nuclear Energy Office
7 for the purposes provided by this section. No monies may be
8 expended absent a specific legislative authorization. Subject to
9 the availability of funding, the Oklahoma Advanced Nuclear Energy
10 Office shall utilize the fund for the restricted purposes of
11 providing reimbursement-based grants to eligible businesses,
12 nonprofit organizations, and governmental entities, including
13 institutions of higher education, through the programs established
14 in this act and to pay for reasonable and necessary costs for staff
15 support necessary to facilitate the work of the Oklahoma Advanced
16 Nuclear Energy Office. Expenditures from the fund shall be made
17 upon warrants issued by the State Treasurer against claims filed as
18 prescribed by law with the Director of the Office of Management and
19 Enterprise Services for approval and payment.

20 SECTION 7. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 10.16 of Title 74, unless there
22 is created a duplication in numbering, reads as follows:

23 A. The Oklahoma Advanced Nuclear Energy Office shall establish
24 grant programs under this act and the Director shall administer

1 those programs. However, grants may not be awarded until the
2 regulatory framework required by Section 2 of this act has been
3 completed and submitted and the Oklahoma Corporation Commission has
4 promulgated necessary rules within its jurisdiction.

5 B. The Office may provide a grant, subject to the availability
6 of funds specifically appropriated by the Legislature, pursuant to
7 this act only to reimburse expenses paid by a recipient using the
8 recipient's own funds. No grant shall be awarded absent a specific
9 legislative appropriation for that fiscal year. An applicant for a
10 grant under the provisions of this act may have received financial
11 assistance or incentives from a local, state, or federal source, but
12 the Office may not provide a grant pursuant to this act to reimburse
13 expenses paid by a recipient or the recipient's project partner
14 using financial assistance or incentives from the local, state, or
15 federal source. An applicant shall provide the Office with detailed
16 information regarding any financial assistance or incentives
17 requested or received for the project for which it is requesting
18 grant funds.

19 C. An applicant that has received state-appropriated money for
20 an advanced nuclear reactor is not eligible to receive a grant under
21 Section 9 of this act.

22 D. The Office shall submit to the President Pro Tempore of the
23 Oklahoma State Senate and the Speaker of the Oklahoma House of
24 Representatives a notice of each grant the Office proposes to

1 approve. The Office may not approve the grant if either of those
2 officers submit a written communication to the Office disapproving
3 the grant on or before the thirtieth day after the date the Office
4 submits the notice of the proposed grant to those officers. The
5 President Pro Tempore of the Oklahoma State Senate or Speaker of the
6 Oklahoma House of Representatives may extend the review deadline for
7 an additional fourteen (14) days by submitting a written notice to
8 that effect to the Office before the expiration of the initial
9 review period.

10 E. Before awarding a grant pursuant to this act, the Office
11 shall enter into a written agreement with the grant applicant. A
12 written agreement under this subsection shall:

13 1. Specify benchmarks and milestones for the completion of the
14 project for which the grant is provided; and

15 2. Require the grant recipient to repay to the state any money
16 received from the grant if the recipient fails to reach the
17 specified benchmarks.

18 F. The Office may not during a state fiscal year award out of
19 money appropriated for grants pursuant to this act a total amount
20 greater than:

21 1. Twenty percent (20%) of the appropriated money for grants
22 provided under Section 8 of this act; and

23 2. Eighty percent (80%) of the appropriated money for grants
24 provided under Section 9 of this act.

1 SECTION 8. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 10.17 of Title 74, unless there
3 is created a duplication in numbering, reads as follows:

4 A. The Oklahoma Advanced Nuclear Energy Office may, subject to
5 the availability of funds specifically appropriated by the
6 Legislature, provide a reimbursement grant from the Oklahoma
7 Advanced Nuclear Development Revolving Fund, created in Section 6 of
8 this act, pursuant to this section for the expenses associated with
9 or required for initial development of an advanced nuclear project
10 in this state. However, grants may not be awarded until the
11 regulatory framework required by Section 2 of this act has been
12 completed and submitted and the Oklahoma Corporation Commission has
13 promulgated necessary rules within its jurisdiction. No grant shall
14 be awarded absent a specific legislative appropriation for that
15 fiscal year.

16 B. Expenses that qualify for reimbursement under this section
17 are limited to expenses attributable or allocable to:

- 18 1. Technology development, including university technology
19 development;
- 20 2. Feasibility studies;
- 21 3. Site planning, including conceptual site-specific
22 engineering studies;
- 23 4. Front-end engineering design;
- 24 5. Site and environmental characterization;

- 1 6. Regulatory commission early site permit work;
- 2 7. Preparation of the construction permit or license
- 3 application to the Regulatory Commission;
- 4 8. Developing manufacturing capacity and readiness;
- 5 9. Fuel processing, manufacturing, and fabrication activities
- 6 essential to the fuel cycle supply;
- 7 10. Preparation of local, state, and nonregulatory commission
- 8 federal permits; and
- 9 11. Regulatory Commission licensing fees.

10 C. To be eligible for a reimbursement grant under this section,
11 an applicant shall provide with an application proof of incurred
12 expenses described by subsection B of this section.

13 D. A grant provided under this section may not exceed the
14 lesser of:

15 1. Fifty percent (50%) of the amount of qualifying expenses
16 associated with the project; or

17 2. Twelve Million Five Hundred Thousand Dollars
18 (\$12,500,000.00).

19 E. The Office by rule shall establish procedures for the
20 application for and provision of a grant pursuant to this section.

21 SECTION 9. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 10.18 of Title 74, unless there
23 is created a duplication in numbering, reads as follows:

24

1 A. The Oklahoma Advanced Nuclear Energy Office may provide a
2 reimbursement grant, subject to the availability of funds
3 specifically appropriated by the Legislature, from the Oklahoma
4 Advanced Nuclear Development Revolving Fund, created in Section 6 of
5 this act, pursuant to this section for expenses associated with the
6 construction of an advanced nuclear project in this state. However,
7 grants may not be awarded until the regulatory framework required by
8 Section 2 of this act has been completed and submitted and the
9 Oklahoma Corporation Commission has promulgated necessary rules
10 within its jurisdiction. No grant shall be awarded absent a
11 specific legislative appropriation for that fiscal year.

12 B. Expenses that qualify for reimbursement under this section
13 are limited to expenses associated with:

14 1. The United States Nuclear Regulatory Commission's review of
15 the construction permit or license application;

16 2. Procurement and development of long-lead components; or

17 3. Construction activities, including the manufacture,
18 fabrication, quality assurance, placement, erection, installation,
19 modification, inspection, or testing of an advanced nuclear project.

20 C. To be eligible for a reimbursement grant under this section,
21 an applicant must provide with an application proof of incurred
22 expenses described by subsection B of this section.

23 D. A grant provided under this section may not exceed the
24 lesser of:

1 1. Fifty percent (50%) of the amount of qualifying expenses
2 associated with the project; or

3 2. One Hundred Twenty Million Dollars (\$120,000,000.00).

4 E. The Office by rule shall establish procedures for the
5 application for and provision of a grant under this section.

6 F. The Office may not provide a reimbursement grant for a
7 project under this section until the Regulatory Commission has
8 docketed a construction permit or license application for the
9 project.

10 G. The Office by rule shall establish a process to distribute
11 the proceeds of each grant awarded under this section to the grant
12 recipient on a rolling basis for qualifying expenses. The process
13 shall include milestones associated with:

14 1. The Regulatory Commission's permitting process; and

15 2. The recipient's financial investment decisions relating to
16 the project.

17 SECTION 10. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 10.19 of Title 74, unless there
19 is created a duplication in numbering, reads as follows:

20 A. The Oklahoma Advanced Nuclear Energy Office may provide a
21 grant, subject to the availability of funds specifically
22 appropriated by the Legislature, pursuant to this act for the costs
23 associated with the completion of an operational advanced nuclear
24 reactor in this state that is interconnected with the regional

1 transmission operator power grid. However, grants may not be
2 awarded until the regulatory framework required by Section 2 of this
3 act has been completed and submitted and the Oklahoma Corporation
4 Commission has promulgated necessary rules within its jurisdiction.
5 No grant shall be awarded absent a specific legislative
6 appropriation for that fiscal year.

7 B. The Office, in consultation with the Oklahoma Corporation
8 Commission, by rule shall establish the amount of a grant the Office
9 shall provide under this section on a per megawatt basis according
10 to the generation capacity of the advanced nuclear reactor.

11 C. The Office, in consultation with the Oklahoma Corporation
12 Commission, by rule shall establish procedures for:

- 13 1. The application for and award of a grant under this section;
- 14 2. The administration of the grant program; and
- 15 3. Providing grants according to a tiered system based on the
16 amount of electricity in megawatts provided to the regional
17 transmission operator grid by an advanced nuclear reactor.

18 SECTION 11. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 10.20 of Title 74, unless there
20 is created a duplication in numbering, reads as follows:

21 The Oklahoma Advanced Nuclear Energy Office shall evaluate each
22 application for a grant pursuant to this act based upon the
23 project's potential benefit to this state and the grant applicant's:

- 24 1. Quality of services and management;

- 1 2. Efficiency of operations;
- 2 3. Access to resources essential for operating the project for
- 3 which the grant is requested, such as land, water, and reliable
- 4 infrastructure, as applicable;
- 5 4. Application for or docketing of a permit or license with the
- 6 United States Nuclear Regulatory Commission; and
- 7 5. Ability to repay the grant if project benchmarks are not
- 8 met.

9 SECTION 12. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 10.21 of Title 74, unless there
11 is created a duplication in numbering, reads as follows:

12 Information submitted to the Oklahoma Advanced Nuclear Energy
13 Office in an application for a grant pursuant to this act is
14 confidential and not subject to disclosure.

15 SECTION 13. This act shall become effective November 1, 2026.

16
17 60-2-16452 JBH 02/20/26

18
19
20
21
22
23
24