

1 STATE OF OKLAHOMA

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

3 SUBCOMMITTEE RECOMMENDATION
4 FOR

5 HOUSE BILL NO. 3175

6 By: Archer

7 SUBCOMMITTEE RECOMMENDATION

8 An Act relating to nuclear energy; defining terms;
9 creating the Oklahoma Advanced Nuclear Energy Office;
10 stating purposes of Office; making certain
11 authorizations for the Office; prohibiting certain
12 gifts; prohibiting requirement that certain project
13 be in a specific location; authorizing the adoption
14 of certain rules; requiring certain study be
15 conducted; requiring report be issued by certain
16 date; requiring Governor appoint Director; listing
17 requirements for Director; listing duties of
18 Director; authorizing the hiring of staff; requiring
19 submission of certain strategic plan; authorizing the
20 hiring of a Nuclear Permitting Coordinator; requiring
21 coordinator have familiarity with certain processes;
22 listing duties of coordinator; requiring coordinator
23 provide certain assistance; requiring certain
24 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; providing
details on granting of funds; requiring applicants
submit certain information; prohibiting applicants
from receiving certain grants; requiring certain
notice of proposed grants; disallowing approval of
certain grants if disapproved by certain individuals;
authorizing extension of review; requiring certain
written agreement; detailing terms of written
agreement; limiting amount of grant rewards;
authorizing certain reimbursement grants; listing
expenses that qualify for reimbursement; requiring
the showing proof of certain expenses; limiting

1 amount of reimbursement grants; authorizing the
2 promulgation of certain rules; requiring certain
3 permit for certain reimbursement grant; authorizing
4 the distribution of grants on a rolling basis;
5 stating process for distribution; authorizing grant
6 for completion of an operation nuclear reactor that
7 make certain interconnection; requiring the
8 establishment of certain procedures; requiring
9 certain application evaluation be made; listing
10 criteria for evaluation; requiring certain
11 information submitted be deemed confidential;
12 providing for codification; and providing an
13 effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 10.10 of Title 74, unless there
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 Regulatory Commission to be either of
generation III+ or generation IV, including large light water
reactors, small modular reactors, microreactors, and nuclear
cogeneration;

1 3. "Construction permit" means a permit issued by the
2 Regulatory Commission for the construction of:
3 a. a nuclear production or utilization facility, or
4 b. a research or test reactor that contributes to the
5 future commercialization of that research or test
6 reactor technology;

7 4. "Director" means the Director of the Office;

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

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

14 7. "Regulatory Commission" means the United States Nuclear
15 Regulatory Commission; and

16 8. "Utility Commission" means the Oklahoma Corporation
17 Commission.

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

21 A. There is hereby created the Oklahoma Advanced Nuclear Energy
22 Office.

23 B. The purposes of the Office are to:
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- 1 1. Provide strategic leadership for the advanced nuclear
2 reactor system in this state;
- 3 2. Collaborate with interested stakeholders and state and local
4 leaders to craft a statewide strategic advanced nuclear energy
5 public outreach program;
- 6 3. Promote the development of advanced nuclear reactors for
7 dispatchable electric generation while creating high-wage advanced
8 manufacturing jobs in this state;
- 9 4. Lead the transition to a balanced energy future by advancing
10 innovative nuclear energy generation technologies while delivering
11 safe, reliable, and clean energy solutions that address the state's
12 growing demand;
- 13 5. Enhance the state's energy security, foster economic growth,
14 and ensure the safety of future nuclear energy generation
15 development;
- 16 6. Identify barriers to the financial viability of nuclear
17 energy generation and regulatory and licensing complexities that
18 increase risk to developers of nuclear energy;
- 19 7. Leverage the expertise and capacity of institutions of
20 higher education, the nuclear energy industry, the industrial
21 manufacturing sector, and regulatory stakeholders to develop a
22 comprehensive strategic plan to ensure the development of advanced
23 nuclear energy and associated technologies in this state; and
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1 8. Support the development of an advanced nuclear energy supply
2 chain and associated technologies in this state.

3 C. The Office may:

4 1. Subject to subsection D of this section, solicit and accept
5 gifts, grants, or loans from and contract with any entity;

6 2. Establish ad hoc advisory committees as necessary to carry
7 out the Office's duties under this chapter; and

8 3. Exercise any other power necessary to carry out the purposes
9 of this act.

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

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

15 F. The Office may adopt and enforce rules necessary to carry
16 out the provisions of this act.

17 G. The Office and the Oklahoma Corporation Commission, with the
18 assistance of any other state entity the Office or the Commission
19 determines is necessary, shall conduct a study to identify necessary
20 state regulatory functions related to nuclear energy generation
21 facilities in this state. The Office and the Commission shall
22 submit the study to the Governor, the President Pro Tempore of the
23 Oklahoma State Senate, and the Speaker of the Oklahoma House of
24 Representatives no later than December 1, 2027.

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

4 A. The Governor shall appoint a Director of the Oklahoma
5 Advanced Nuclear Energy Office. The Director shall serve at the
6 pleasure of the Governor.

7 B. The Director shall have demonstrated:

- 8 1. Experience in the field of advanced nuclear energy; and
- 9 2. Executive and organizational ability.

10 C. The Director may not have any direct or indirect interests
11 that substantially conflict with the Director's duties.

12 D. The Director shall:

- 13 1. Manage the affairs of the Office;
- 14 2. Administer programs established by this act; and
- 15 3. Establish appropriate milestones and standards to ensure
16 proper use of money under this chapter.

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

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

22 Not later than December 1 of each even-numbered year, the
23 Director shall submit to the Governor, the President Pro Tempore of
24 the Oklahoma State Senate, and the Speaker of the Oklahoma House of

1 Representatives a strategic plan for furthering the goals, purposes,
2 and objectives established by this act.

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

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

9 B. A Nuclear Permitting Coordinator shall have a demonstrated
10 familiarity with the permitting and regulatory process in this
11 state.

12 C. The Nuclear Permitting Coordinator shall:

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

15 2. Identify active or likely siting opportunities and required
16 permits and approvals for nuclear energy generation sites and key
17 personnel; and

18 3. Provide guidance for regulated persons navigating local,
19 state, and federal regulations for nuclear energy generation
20 facilities.

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

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1 E. The Nuclear Permitting Coordinator shall document all
2 activities carried out in the provision of assistance under this
3 section and make that information available to the public on
4 request.

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

8 There is hereby created in the State Treasury a revolving fund
9 for the Oklahoma Advanced Nuclear Energy Office, established under
10 Section 2 of this act, to be designated the "Oklahoma Advanced
11 Nuclear Development Revolving Fund". The fund shall be a continuing
12 fund, not subject to fiscal year limitations. Subject to subsection
13 D of Section 2 of this act, the fund may consist of gifts, grants,
14 or donations. All monies accruing to the credit of the fund are
15 hereby appropriated and shall be budgeted and expended by the
16 Oklahoma Advanced Nuclear Energy Office for the purposes provided by
17 this section. Subject to the availability of funding, the Oklahoma
18 Advanced Nuclear Energy Office shall utilize the fund for the
19 restricted purposes of providing reimbursement-based grants to
20 eligible businesses, nonprofit organizations, and governmental
21 entities, including institutions of higher education, through the
22 programs established in this act and to pay for reasonable and
23 necessary costs for staff support necessary to facilitate the work
24 of the Oklahoma Advanced Nuclear Energy Office. Expenditures from

1 the fund shall be made upon warrants issued by the State Treasurer
2 against claims filed as prescribed by law with the Director of the
3 Office of Management and Enterprise Services for approval and
4 payment.

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

8 A. The Oklahoma Advanced Nuclear Energy Office shall establish
9 grant programs under this act and the Director shall administer
10 those programs.

11 B. The Office may provide a grant pursuant to this act only to
12 reimburse expenses paid by a recipient using the recipient's own
13 funds. An applicant for a grant under the provisions of this act
14 may have received financial assistance or incentives from a local,
15 state, or federal source, but the Office may not provide a grant
16 pursuant to this act to reimburse expenses paid by a recipient or
17 the recipient's project partner using financial assistance or
18 incentives from the local, state, or federal source. An applicant
19 shall provide the Office with detailed information regarding any
20 financial assistance or incentives requested or received for the
21 project for which it is requesting grant funds.

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

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

13 E. Before awarding a grant pursuant to this act, the Office
14 shall enter into a written agreement with the grant recipient. A
15 written agreement under this subsection shall:

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

18 2. Require the grant recipient to repay to the state money
19 received from that grant if the recipient fails to reach the
20 specified benchmarks.

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

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

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

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

8 A. The Oklahoma Advanced Nuclear Energy Office may provide a
9 reimbursement grant from the Oklahoma Advanced Nuclear Development
10 Fund, created in Section 6 of this act, pursuant to this section for
11 the expenses associated with or required for initial development of
12 an advanced nuclear project in this state.

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

15 1. Technology development, including university technology
16 development;

17 2. Feasibility studies;

18 3. Site planning, including conceptual site-specific
19 engineering studies;

20 4. Front-end engineering design;

21 5. Site and environmental characterization;

22 6. Regulatory commission early site permit work;

23 7. Preparation of the construction permit or license
24 application to the Regulatory Commission;

1 8. Developing manufacturing capacity and readiness;

2 9. Fuel processing, manufacturing, and fabrication activities
3 essential to the fuel cycle supply;

4 10. Preparation of local, state, and nonregulatory commission
5 federal permits; and

6 11. Regulatory Commission licensing fees.

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

10 D. A grant provided under this section may not exceed the
11 lesser of:

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

14 2. Twelve Million Five Hundred Thousand Dollars
15 (\$12,500,000.00).

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

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

21 A. The Oklahoma Advanced Nuclear Energy Office may provide a
22 reimbursement grant from the Oklahoma Advanced Nuclear Development
23 Fund, created in Section 6 of this act, pursuant to this section for
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1 expenses associated with the construction of an advanced nuclear
2 project in this state.

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

5 1. The Regulatory Commission's review of the construction
6 permit or license application;

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

8 3. Construction activities, including the manufacture,
9 fabrication, quality assurance, placement, erection, installation,
10 modification, inspection, or testing of an advanced nuclear project.

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

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

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

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

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

21 F. The Office may not provide a reimbursement grant for a
22 project under this section until the Regulatory Commission has
23 docketed a construction permit or license application for the
24 project.

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

- 5 1. The Regulatory Commission's permitting process; and
- 6 2. The recipient's financial investment decisions relating to
7 the project.

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

11 A. The Oklahoma Advanced Nuclear Energy Office may provide a
12 grant pursuant to this act for the costs associated with the
13 completion of an operational advanced nuclear reactor in this state
14 that is interconnected with the regional transmission operator power
15 grid.

16 B. The Office, in consultation with the Oklahoma Corporation
17 Commission, by rule shall establish the amount of a grant the Office
18 will provide under this section on a per megawatt basis according to
19 the generation capacity of the advanced nuclear reactor.

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

- 22 1. The application for and award of a grant under this section;
- 23 2. The administration of the grant program; and

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1 3. Providing grants according to a tiered system based on the
2 amount of electricity in megawatts provided to the regional
3 transmission operator grid by an advanced nuclear reactor.

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

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

- 10 1. Quality of services and management;
- 11 2. Efficiency of operations;
- 12 3. Access to resources essential for operating the project for
13 which the grant is requested, such as land, water, and reliable
14 infrastructure, as applicable;
- 15 4. Application for or docketing of a permit or license with the
16 Regulatory Commission; and
- 17 5. Ability to repay the grant if project benchmarks are not
18 met.

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

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

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

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