

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3175

By: Archer

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5

6 AS INTRODUCED

7 An Act relating to nuclear energy; defining terms;
8 creating the Oklahoma Advanced Nuclear Energy Office;
9 stating purposes of Office; making certain
10 authorizations for the Office; prohibiting certain
11 gifts; prohibiting requirement that certain project
12 be in a specific location; authorizing the adoption
13 of certain rules; requiring certain study be
14 conducted; requiring report be issued by certain
15 date; requiring Governor appoint director; listing
16 requirements for director; listing duties of
17 director; authorizing the hiring of staff; requiring
18 submission of certain strategic plan; authorizing the
19 hiring of a nuclear permitting coordinator; requiring
20 coordinator have familiarity with certain processes;
21 listing duties of coordinator; requiring coordinator
22 provide certain assistance; requiring certain
23 documentation be kept and available to public upon
24 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
amount of reimbursement grants; authorizing the
promulgation of certain rules; requiring certain

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

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

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

16 As used in this act:

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

22 2. "Advanced nuclear reactor" means a range of nuclear reactor
23 technologies determined by the Regulatory Commission to be either of
24 generation III+ or generation IV, including large light water
reactors, small modular reactors, microreactors, and nuclear
cogeneration;

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

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

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

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

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

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

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

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

A. The Oklahoma Advanced Nuclear Energy Office is an office within the office of the Governor and the Office shall be assigned to the Secretary of Energy.

B. The purposes of the Office are to:

- 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
- 24

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 Utility
19 Commission determines is necessary, shall conduct a study to
20 identify necessary state regulatory functions related to nuclear
21 energy generation facilities in this state. The Office and the
22 Utility Commission shall submit the study to the Governor, the
23 President Pro Tempore of the Oklahoma State Senate, and the Speaker

1 of the Oklahoma House of Representatives no later than December 1,
2 2027.

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

6 A. The Governor shall employ a director of the Oklahoma
7 Advanced Nuclear Energy Office. The director shall serve at the
8 pleasure of the Governor.

9 B. The director shall have demonstrated:

10 1. Experience in the field of advanced nuclear energy; and
11 2. Executive and organizational ability.

12 C. The director may not have any direct or indirect interests
13 that substantially conflict with the director's duties.

14 D. The director shall:

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

19 E. The director may hire staff as necessary to implement the
20 duties of the Office pursuant to this act.

21 SECTION 4. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 10.13 of Title 74, unless there
23 is created a duplication in numbering, reads as follows:
24

1 Not later than December 1 of each even-numbered year, the
2 director shall submit to the Governor, the President Pro Tempore of
3 the Oklahoma State Senate, and the Speaker of the Oklahoma House of
4 Representatives a strategic plan for furthering the goals, purposes,
5 and objectives established by this act.

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

9 A. The Director of the Oklahoma Advanced Nuclear Energy Office
10 may employ a nuclear permitting coordinator to assist businesses
11 throughout the nuclear energy permitting and regulatory process.

12 B. A nuclear permitting coordinator shall have a demonstrated
13 familiarity with the permitting and regulatory process in this
14 state.

15 C. The nuclear permitting coordinator shall:

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

18 2. Identify active or likely siting opportunities and required
19 permits and approvals for nuclear energy generation sites and key
20 personnel; and

21 3. Provide guidance for regulated persons navigating local,
22 state, and federal regulations for nuclear energy generation
23 facilities.

1 D. The nuclear permitting coordinator shall make any assistance
2 provided under this section equally available to all businesses
3 engaged in the nuclear energy permitting and regulatory process.

4 E. The nuclear permitting coordinator shall document all
5 activities carried out in the provision of assistance under this
6 section and make that information available to the public on
7 request.

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

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

1 Nuclear Energy Office. Expenditures from the fund shall be made
2 upon warrants issued by the State Treasurer against claims filed as
3 prescribed by law with the Director of the Office of Management and
4 Enterprise Services for approval and 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 Lieutenant Governor and the
2 Speaker of the Oklahoma House of Representatives a notice of each
3 grant the office proposes to approve. The Office may not approve
4 the grant if both those officers submit a written communication to
5 the Office disapproving the grant on or before the thirtieth day
6 after the date the Office submits the notice of the proposed grant
7 to those officers. The Lieutenant Governor or Speaker of the
8 Oklahoma House of Representatives may extend the review deadline for
9 an additional fourteen (14) days by submitting a written notice to
10 that effect to the Office before the expiration of the initial
11 review period.

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

- 15 1. Specify benchmarks and milestones for the completion of the
16 project for which the grant is provided; and
- 17 2. Require the grant recipient to repay to the state money
18 received from that grant if the recipient fails to reach the
19 specified benchmarks.

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

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

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

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

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

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

13 1. Technology development, including university technology
14 development;

15 2. Feasibility studies;

16 3. Site planning, including conceptual site-specific
17 engineering studies;

18 4. Front-end engineering design;

19 5. Site and environmental characterization;

20 6. Regulatory commission early site permit work;

21 7. Preparation of the construction permit or license
22 application to the Regulatory Commission;

23 8. Developing manufacturing capacity and readiness;

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

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

5 11. Regulatory Commission licensing fees.

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

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

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

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

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

17 SECTION 9. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 10.18 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 reimbursement grant from the Oklahoma Advanced Nuclear Development
22 Fund, created in Section 6 of this act, pursuant to this section for
23 expenses associated with the construction of an advanced nuclear
24 project in this state.

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

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

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

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

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

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

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

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

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

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

23 G. The Office by rule shall establish a process to distribute
24 the proceeds of each grant awarded under this section to the grant

1 recipient on a rolling basis for qualifying expenses. The process
2 shall include milestones associated with:

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

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

9 A. The Oklahoma Advanced Nuclear Energy Office may provide a
10 grant pursuant to this act for the costs associated with the
11 completion of an operational advanced nuclear reactor in this state
12 that is interconnected with the Southwest Power Pool (SPP) power
13 grid.

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

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

20 1. The application for and award of a grant under this section;
21 2. The administration of the grant program; and
22 3. Providing grants according to a tiered system based on the
23 amount of electricity in megawatts provided to the SPP grid by an
24 advanced nuclear reactor.

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

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

7 1. Quality of services and management;

8 2. Efficiency of operations;

9 3. Access to resources essential for operating the project for
10 which the grant is requested, such as land, water, and reliable
11 infrastructure, as applicable;

12 4. Application for or docketing of a permit or license with the
13 Regulatory Commission; and

14 5. Ability to repay the grant if project benchmarks are not
15 met.

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

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

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

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24 60-2-14480 JBH 01/05/26