

1 **SENATE FLOOR VERSION**

2 February 13, 2025

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 131

By: Burns of the Senate

and

Boles of the House

8 An Act relating to nuclear energy; defining terms;
9 requiring certain notice and report to the
10 Corporation Commission prior to retirement of a coal-
11 fired electric generation facility; specifying
12 contents of certain report; requiring issuance of
13 final order by the Commission for replacement
14 findings; directing rule promulgation; authorizing an
15 entity to construct a nuclear power plant under
16 certain circumstances; requiring entity to establish
17 secondary facility for certain purpose within certain
18 postal code; requiring certain entity to submit
19 letter of intent and application to the Department of
20 Environmental Quality; establishing application
21 contents; providing for codification; and providing
22 an effective date.

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

24 SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 158 of Title 17, unless there is
created a duplication in numbering, reads as follows:

A. As used in this act:

1. "Advanced nuclear reactors" means nuclear reactors,
including small modular reactors or any necessary ancillary
facilities or structures, that are authorized by the United States

1 Nuclear Regulatory Commission and the Department of Environmental
2 Quality as prescribed in Section 2 of this act; and

3 2. "Retire" means the closure of or the complete and permanent
4 cessation of operations at an electric generation facility.

5 B. 1. If an electric utility doing business in this state
6 elects to retire a coal-fired electric generation facility, the
7 utility shall submit a written notice and report to the Corporation
8 Commission, in the form and manner prescribed by the Commission, of
9 the retirement and disclose any preliminary plans regarding the
10 replacement of the coal-fired electric generation facility. The
11 notice and report shall include a cost study of replacement options
12 for the coal-fired electric generation facility.

13 2. The electric utility shall prioritize the replacement of the
14 coal-fired electric generation facility with an advanced nuclear
15 reactor or a natural gas-powered electric generation facility. If
16 the utility does not intend to replace the facility with an advanced
17 nuclear reactor or a natural gas-powered electric generation
18 facility, the utility shall submit in writing the reasoning and
19 evidence supporting the findings of the utility. The Corporation
20 Commission shall issue a final order approving or disapproving the
21 replacement option submitted for a retiring coal-fired electric
22 generation facility.

23 C. If an electric utility intends to establish an advanced
24 nuclear reactor, either through the retirement of a coal-fired

1 electric generation facility or other means, the utility shall
2 comply with the provisions of Section 2 of this act.

3 D. The Corporation Commission shall promulgate rules to
4 effectuate the provisions of this section.

5 SECTION 2. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 2-7-501 of Title 27A, unless
7 there is created a duplication in numbering, reads as follows:

8 A. For the purposes of this section, "qualified entity" or
9 "entity" means an entity that has complied with federal and state
10 requirements for constructing a nuclear power plant and has had its
11 application approved by the Department of Environmental Quality
12 pursuant to this section. An entity that seeks to construct a
13 nuclear power plant in this state shall be deemed a qualified entity
14 under this section provided that the entity follows the regulations
15 and guidance of the United States Nuclear Regulatory Commission and
16 is granted the necessary licenses under 10 C.F.R., Part 50.

17 B. The Department of Environmental Quality and the Corporation
18 Commission shall promulgate rules in accordance with federal
19 regulations for the purpose of creating a regulatory environment for
20 a qualifying entity to construct a nuclear power plant.

21 C. 1. An entity seeking to construct a nuclear power plant
22 under this section shall also construct a facility, either at the
23 plant location or within the same five-digit zip code of the
24

1 proposed plant location, with sufficient capacity to receive the
2 spent fuel from the plant.

3 2. An entity seeking to construct a nuclear power plant under
4 this section shall, in a form to be prescribed by the Department,
5 submit a letter of intent to construct the plant and facility and an
6 application for approval of the construction. The application shall
7 include but not be limited to:

- 8 a. the projected dates for beginning and completing
9 construction,
- 10 b. the location of the proposed nuclear power plant and
11 facility,
- 12 c. copies of any applications, correspondence, or forms
13 submitted in accordance with the requirements of the
14 United States Nuclear Regulatory Commission,
- 15 d. any statistics or information conveying the cost-
16 effectiveness, efficiency, and energy-saving potential
17 of the proposed facility, and
- 18 e. any other information deemed necessary by the
19 Department for approval.

20 D. The Department shall promulgate any rules necessary to
21 effectuate the provisions of this section.

22 SECTION 3. This act shall become effective November 1, 2025.

23 COMMITTEE REPORT BY: COMMITTEE ON ENERGY
24 February 13, 2025 - DO PASS AS AMENDED BY CS