STATUS REPORT

State Legislation and Regulations Supporting Nuclear Energy

January 2025

NUCLEAR ENERGY INSTITUTE

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. 2024 was another busy year, with 25 states taking pro-nuclear action. In addition, PUCs in 7 states approved orders or took direct action in support of nuclear energy. Announcements of partnerships between tech companies and nuclear underscores the technology sector's increasing confidence in nuclear as a key solution for their long-term needs.

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

Task Forces, Commissions, Studies and State Energy Plans

- **Task forces and commissions:** Ohio, Kentucky, Michigan, New Hampshire, Tennessee and Texas 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.
    - Recommendations include ideas such as legislative measures on workforce centralizing nuclear in a nuclear agency and state financing for early site permitting.

- **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.
    - Requested: Colorado and Florida
    - Published: Connecticut, Indiana, Kentucky, Louisiana, Maryland, Montana, Michigan, Nebraska, New Hampshire, Pennsylvania, Tennessee, and Texas

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

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.

- **Supply chain:** The nuclear energy supply chain is complex and spans the globe. A reliable supply chain and manufacturing base create efficiencies that reduce the cost and timeline to build new reactors.

- **Workforce development:** Operating reactors today employ between 500 and 800 people in permanent jobs. The nuclear sector is one of the most skilled industries and requires numerous different highly technical certifications. The workforce is sustained by a robust investment in nuclear-energy programs at our nation's universities and trade schools. Several states have begun evaluating university, community college, and trade school curriculum and training programs to ensure the curriculum supports jobs that enable the construction and operation of the next generation of nuclear plants.

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.

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

- **Signaling Support:** Several state Public Service Commissions (PSC) have taken action this year in support of new or existing nuclear.
  - In response to state legislation, the Indiana Utility Regulatory Commission adopted regulations this year for advanced reactors, while the Kentucky PSC has started the process of developing new regulations.
  - In Mississippi, the PSC adopted a resolution expressing support for new and existing nuclear.
  - In Louisiana, the PSC launched the Louisiana Advanced Competitive Edge (LANCE) project, which included a two-day meeting on deploying new nuclear in the state as well as a draft report of recommendations for the PSC and other state officials to consider.
  - More often, state PSCs are being asked to consider new nuclear in utility integrated resource plans. This year, the North Carolina Utilities Commission issued an order approving Duke's NC plan, which includes funding for early development costs, targeting 300 MW of advanced nuclear capacity online by 2034 and 600 MW by 2035.

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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: A.24-03-18
Ordered December 2024

The California Public Utilities Commission approved $722.6 million in ratepayer costs to cover the continued operation of the Diablo Canyon Power Plant.

Resolution: Assembly Joint Resolution 18
Adopted August 2024

Urges the Congress of the United States to prioritize its obligation to provide a home for spent nuclear fuel and to implement revisions to the federal Nuclear Waste Policy Act of 1982.

Legislation: S.B. 108
Enacted June 2024

Allows the Director of Finance to transfer up to $400,000,000 as a loan to the Diablo Canyon Extension Fund from the General Fund for the purpose of extending operations of Diablo Canyon powerplant, to dates that will be no later than November 1, 2029, for Unit 1, and no later than November 1, 2030, for Unit 2.

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

Feasibility Study
Released February 2024

Link to final report.

Legislation: S.B. 385
Enacted May 2024

Permits the Commissioner of Energy and Environmental Protection to coordinate with other New England states to procure generation resources from a nuclear power generating facility for ten years following the end of existing agreements with a nuclear power generating facility.

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. 1645
Enacted May 2024

Requires the public service commission to evaluate feasibility of using advanced nuclear power technologies.

Legislation: H.B. 7109
Enacted June 2015

Authorizes electric utilities to petition the Florida Public Service Commission 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

Resolution: Senate Concurrent Resolution 113
Adopted March 2024

Highlights the Legislature's strong support for the historical, current, and future regional impacts of Idaho National Laboratory and recognizes the potential of the newly formed Idaho Advanced Energy Consortium.

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

Feasibility Study
Released November 2024

Purdue University publishes comprehensive analysis of SMR applications and their impacts for the state of Indiana. Study was conducted at the request of Indiana Office of Energy Development. Link to report.

Regulation: Docket 170 IAC 4-11 Indiana Regulatory Utility Commission
Released June 2023; Ordered May 2024

Adopts requirements granting the certification for the construction, purchase, or lease of small modular reactors by a public utility.

Legislation: H.B. 1278
Enacted March 2024

A business is no longer required to file a monthly report to the lieutenant governor after purchasing a nuclear generating facility the previous month.

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. 2279
Enacted May 2024

Amends Code 2024 to include electric storage unit and nuclear.

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. 410
Enacted April 2024

Exempts new nuclear facilities from certain property taxes.

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.

KENTUCKY

Resolution: Senate Joint Resolution 140
Adopted April 2024

Instructs the Public Service Commission to prepare and streamline its processes to be able to immediately assist with any nuclear siting or construction applications that might be filed with the commission.

Resolution: Senate Resolution 327
Adopted April 2024

Urges Congress to enact legislation to reform federal permitting and environmental review processes to expedite the deployment of modern energy infrastructure (including nuclear).

Legislation: S.B. 198
Enacted April 2024

Establishes the Kentucky Nuclear Energy Development Authority. The Authority will conduct a study to identify the workforce needed to develop and support the nuclear ecosystem.

Legislation: H.B. 1
Enacted April 2024

Appropriates $20 million for fiscal year 2025 to the University of Kentucky budget unit to support and facilitate the development of nuclear energy by the Center for Applied Energy Research.

Resolution: House Resolution 70
Adopted February 2024

Urges Congress to enact legislation to reform federal permitting and environmental review processes to expedite the deployment of modern energy infrastructure (including nuclear).

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.

LOUISIANA

Executive Order: Executive Order 166
Enacted November 2024

The order requires the Secretary of Environmental Quality to review the Department's regulatory procedures to improve permitting and licensing timelines. The Secretary is required to develop and adopt procedures that would support and advance methods to resolve environmental hazards and prepare for the expansion of nuclear energy. Recommendation due July 1, 2025.

Draft Report: Docket No. X-36987 Louisiana Public Service Commission
Released October 2024

The draft Louisiana Advanced Competitive Edge (LANCE) Framework was filed into the docket. The Framework includes recommendations to the Commission to support the deployment of advanced reactors.

Regulation: Docket No. X-36987 Louisiana Public Service Commission
Effective June 2024

The Commission launched the Louisiana Advanced Nuclear Competitive Edge (LANCE) project. Brings together state and federal government, business and industry, electric utilities, manufacturers, educational institutions, and others who want to help chart a path for energy driven economic opportunity that utilizes advanced nuclear as a catalyst.

Resolution: House Resolution 2
Adopted May 2024

Urges Congress to enact legislation to reform federal permitting and environmental review processes to expedite the deployment of modern energy infrastructure (including nuclear).

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

The Commission has opened a docket to study and track the development of advanced reactors in the state.

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.

MASSACHUSETTS

Legislation: S 2967

Enacted November 2024

Modifies definition of "clean energy" and "clean energy research" to include nuclear fission. And allows the Commonwealth to purchase nuclear energy.

MICHIGAN

Legislation: S.B. 747

Enacted July 2024

Includes as part of the state's 2024-2025 budget, $150 million to support efforts to reopen the Palisades power plant.

Feasibility Study

Released March 2024

In accordance with H.B. 6019 of 2022, the Public Service Commission submitted the Nuclear Feasibility Study Report to the Governor and Legislature.

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

Resolution: Mississippi Public Service Commission

Adopted March 2024

The Public Service Commission adopted a resolution expressing its support of nuclear energy as a clean baseload energy source necessary to achieve a reliable, secure, and diversified electric grid. The Commission hosted its first Nuclear Summit examining developments around the deployment of new reactors.

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.

MISSOURI

Legislation: S.B. 1388
Enacted July 2024

Authorizes a state and local sales tax exemption for all sales and purchases of tangible personal property, building materials, equipment, fixtures, manufactured goods, machinery, and parts for the purposes of constructing all or any portion of a nuclear security enterprise, as such term is defined in the act, located in Kansas City.

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. Link to study.

NEBRASKA

Feasibility Study
Released August 2024

In 2022, the legislature gave $1 million to the Nebraska Department of Economic Development to fund a feasibility study. Phase 1 of the study considered areas across the entire state, including current generation sites. Sixteen sites have been identified to proceed to the second phase of the feasibility study. Link to Phase 1 SMR Siting Technical Screening Study.

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. 1465
Enacted August 2024

Requires the Department of Energy to coordinate the continuing studies of state agencies on the uses and development of nuclear energy, including advanced nuclear reactors.

Legislation: H.B. 543
Enacted June 2022

Establishes a Commission to study nuclear power and nuclear reactor technology in New Hampshire. Link to Final Report.

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

Draft Blueprint: Consideration for Advanced Nuclear Technologies

Released September 2024

The New York State Energy Research and Development Authority (NYSERDA) released its draft blueprint for consideration of advanced nuclear technologies.

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 a zero-emission credit program to preserve certain existing zero-emission nuclear generation in the state.

NORTH CAROLINA

Regulation: Docket No. E-100 Sub 179 North Carolina Utilities Commission

Ordered November 2024

The North Carolina Utilities Commission issued an order accepting the Consolidated Carbon Plan and Integrated Resource Plan (CPIRP) establishing a least-cost path forward for Duke Energy Progress, LLC, and Duke Energy Carolinas, LLC. The plan includes the approval of $440 million for continued development work and early site permits for two SMRs, totaling 600 MW of new nuclear capacity online by 2035. The order also requires Duke to submit a report by March 2025 detailing Duke's infrastructure that could support new large light water reactors and encourages the company to pursue subsequent license renewals for its existing nuclear fleet.

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 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 308
Enacted December 2024

Defines energy generated by nuclear reaction as green energy.

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.

OKLAHOMA

Legislation: S.B. 1535
Enacted April 2024

Establishes a Low Carbon Initiative that includes nuclear.

Resolution: Senate Resolution 30
Adopted March 2024

Urges the federal government to implement permitting reform. (including nuclear)

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. Link to study.

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: S. 1031
Enacted July 2024

Adds requirement of Nuclear Advisory Council to engage stakeholders and develop a strategic plan to advance the development of advanced reactors.

Legislation: H. 5100
Enacted March 2024

Appropriates $10 million to the Department of Commerce for SC Nexus.

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

Legislation: H.B. 1071
Enacted March 2024

Revises a provision providing authority to the Governor to enter into agreements with the Nuclear Regulatory Commission. Language changes included a focus on NRC rather than generic federal government label.

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

Final Report
Released November 2024

Tennessee Nuclear Energy Advisory Council delivered its final report. The council's report includes 19 recommendations in five key areas that reinforce Tennessee's leading position in the nuclear industry and will enable deployment of critical baseload energy and support for a vibrant nuclear ecosystem that is key to the state's overall economy. Link to report.

Legislation: H.B. 2118
Enacted May 2024

Increases the number of council members from 15 to 22. Includes two representatives from Oak Ridge (one non-voting member appointed by Governor and one voting member appointed by Speaker of the Senate); one representative with expertise in radiological control or nuclear criticality safety or nuclear wastes; one representative of the nuclear manufacturing industry; and one representative who is involved in innovative energy production.

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. Link to order.

State Budget: 2024
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

Final Report
Released November 2024

Governor Greg Abbott and the Public Utility Commission of Texas (PUCT) released the Texas Advanced Nuclear Reactor Working Group's final report which includes seven key recommendations to the state legislature. Link to report.

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. Link to instruction.

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.

UTAH

Legislation: H.B. 48
Enacted March 2024

Instructs state agencies to participate in federal rulemaking process leading to reform of regulations and permitting; fund development of detailed forecasts of the state's long-term energy supply demand. Expands upon the strategic energy plan which includes the use and development of nuclear power.

Legislation: H.B. 124
Enacted March 2024

Modifies definitions and qualifications applicable to the high-cost infrastructure development tax credit. "Energy delivery project" includes nuclear power generation systems.

Legislation: H.B. 241
Enacted March 2024

Amends the state's energy provisions relating to clean energy by changing the term "renewable" to "clean" where appropriate in the statute.

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: S.B. 454
Enacted April 2024

Allows Dominion Energy to petition the State Corporation Commission at any time for the approval of a rate adjustment clause for the recovery of small modular reactor project development costs for up to one small modular reactor facility, as well as for project development cost recovery along separate development phases.

Legislation: H.B. 1491
Enacted April 2024

Allows American Electric Power, prior to the filing of an application for a certificate to construct a small modular nuclear facility, to request the State Corporation Commission to review such utility's decision to incur project development costs and seek cost recovery.

Legislation: H.B. 2386/ S.B. 1464
Enacted March 2023

Establishes the Virginia Power Innovation Fund; the Virigina Power Innovation Program; and the Virigina 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 joins 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

Legislation: S.B. 5949
Enacted May 2024

Provides $25,000,000 solely as nonfederal support for Energy Northwest's participation in the United States department of energy's loan programs office part 2 application, including due diligence review and environmental impact review.

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

Resolution: Senate Concurrent Resolution 11
Adopted January 2024

Urges Congress to enact much-needed reforms to federal permitting policies to accelerate energy infrastructure (including nuclear).

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
Announced June 2024

Wyoming Energy Authority awards Phase Two of the $20 million cost share program to assess the viability of deploying small-scale nuclear reactors in the state as a source of resilient and reliable energy to augment existing power generation resources.

Funding: Energy Matching Funds
Announced 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
- Oxford Report on Economic Contribution of Nuclear Energy in the United States

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