

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 131

By: Burns

6 AS INTRODUCED

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

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

17 SECTION 1. NEW LAW A new section of law to be codified

18 in the Oklahoma Statutes as Section 158 of Title 17, unless there is
19 created a duplication in numbering, reads as follows:

20 A. As used in this act:

21 1. "Advanced nuclear reactors" means nuclear reactors,
22 including small modular reactors or any necessary ancillary
23 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. If the utility does not intend to replace the facility
16 with an advanced nuclear reactor, the utility shall submit in
17 writing the reasoning and evidence supporting the findings of the
18 utility. The Corporation Commission shall issue a final order
19 approving or disapproving the replacement option submitted for a
20 retiring coal-fired electric generation facility.

21 C. If an electric utility intends to establish an advanced
22 nuclear reactor, either through the retirement of a coal-fired
23 electric generation facility or other means, the utility shall
24 comply with the provisions of Section 2 of this act.

1 D. The Corporation Commission shall promulgate rules to
2 effectuate the provisions of this section.

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

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

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

19 C. 1. An entity seeking to construct a nuclear power plant
20 under this section shall also construct a facility, either at the
21 plant location or within the same five-digit zip code of the
22 proposed plant location, with sufficient capacity to receive the
23 spent fuel from the plant.

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

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

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

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

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