

A-Engrossed House Bill 4046

Ordered by the House February 17
Including House Amendments dated February 17

Sponsored by Representatives WRIGHT, LEVY B, EDWARDS, BOICE, BUNCH, OSBORNE, PHAM H, Senator SMITH DB; Representatives CATE, EVANS, GAMBA, HELM, OWENS, RESCHKE, SKARLATOS, Senators MEEK, SOLLMAN, THATCHER, WEBER (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Tells ODOE to study nuclear energy and make a report on its findings. (Flesch Readability Score: 63.4).

Directs the State Department of Energy, subject to the availability of funding, to conduct a study on nuclear energy, including advanced nuclear reactors. Directs the department to engage with tribal governments, consult with certain [*state agencies and*] organizations and utilize moneys from federal, private and other public sources to carry out the study.

Requires the department to report and make public information on the sources of moneys or assistance and amounts of moneys that the department receives to carry out this Act, anticipated uses of those moneys or assistance and any potential conflicts of interest.

Directs the department to submit the report to the interim committees or committees of the Legislative Assembly related to energy **not later than one year after the date the department receives the moneys or assistance necessary to complete the study. Directs the department to provide an update on the department's progress in carrying out this Act to the interim committees or committees of the Legislative Assembly related to energy** not later than February 15, 2027.

Establishes the Nuclear Energy Study Fund.

Sunsets January 2, [2028] **2030**.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to nuclear energy; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) Subject to the availability of funding as described under subsection (4)**
5 **of this section, the State Department of Energy shall conduct a study and make a report that**
6 **addresses the following subjects as related to nuclear energy:**

7 (a) **A description of advanced nuclear reactor technology that includes a discussion of:**

8 (A) **The different types of advanced nuclear reactors, including but not limited to water-**
9 **cooled, gas-cooled and salt-cooled;**

10 (B) **The different sizes of advanced nuclear reactors, including but not limited to large,**
11 **small and micro reactors; and**

12 (C) **Terminology that is recommended for referencing advanced nuclear reactors and**
13 **different types and sizes of advanced nuclear reactors in statute or regulation;**

14 (b) **The feasibility of constructing advanced nuclear reactors in Oregon, including:**

15 (A) **Timing necessary for developing advanced nuclear reactor projects, based on avail-**
16 **able information related to completed, canceled, ongoing and proposed projects;**

17 (B) **A comparison of the levelized cost of energy for advanced nuclear reactors and other**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 generation sources, using publicly available data and established methodologies, with clear
2 documentation of assumptions and data limitations when proprietary information is not
3 available;

4 (C) Risks and benefits of nuclear energy generation for human health and the environ-
5 ment, including any potential impacts for one or more environmental justice communities,
6 as defined in ORS 469A.400;

7 (D) Government and industry support necessary for developing and decommissioning
8 nuclear energy projects;

9 (E) Advantages and disadvantages of nuclear energy generation in Oregon, relative to
10 energy diversification, reliability performance, transmission constraints and decarbonization;

11 (F) Safety considerations, including emergency preparedness;

12 (G) Use cases for advanced nuclear reactors as an on-site or otherwise dedicated elec-
13 tricity generation source, or co-generation source, for industrial facilities and large energy
14 use facilities, as defined in ORS 757.292;

15 (H) Financing, ownership models, financial risk exposures and potential ratepayer im-
16 pacts; and

17 (I) The long-term outlook for advanced nuclear reactor deployment in the United States;

18 (c) The potential impacts of nuclear energy on economic growth and workforce develop-
19 ment for Oregon communities;

20 (d) A description of the type and characteristics of nuclear waste produced by currently
21 operating nuclear energy generation sources in the United States and advanced nuclear re-
22 actors, and the ability to safely and legally manage the nuclear waste of the type produced
23 from nuclear energy generation, including:

24 (A) Existing methods, locations and safety records in the United States for the storage
25 of nuclear waste from nuclear energy generation;

26 (B) Economic costs of disposing of nuclear waste;

27 (C) A literature review of the risks and benefits of recycling or reprocessing nuclear
28 waste, including existing federal research and analysis; and

29 (D) Existing Oregon state and federal legal pathways for the recycling, reprocessing,
30 disposal and temporary and long-term storage of nuclear waste and any pending or proposed
31 changes to existing pathways through legislation, regulation, policy directive or litigation;
32 and

33 (e) A description, developed through consultation with state agencies listed or described
34 in ORS 469.350 (2), the Oregon Health Authority and any other state agencies that may have
35 relevant regulatory or advisory expertise on nuclear energy, of:

36 (A) All existing Oregon state statutes and rules applicable to nuclear energy generation,
37 including but not limited to siting, permitting, safety, operations, decommissioning and waste
38 management; and

39 (B) Any identified areas of uncertainty in the law.

40 (2) The department shall:

41 (a) Conduct the study in consultation with:

42 (A) The Pacific Northwest Electric Power and Conservation Planning Council; and

43 (B) Oregon State University; and

44 (b) Seek public input and provide opportunities for public comment during the develop-
45 ment of the report.

1 **(3)(a) In developing the study, the department shall engage with the federally recognized**
2 **Indian tribes located in this state.**

3 **(b) Engagement with the Indian tribes must include direct written contact with the tribal**
4 **government of each Indian tribe. The department and each tribal government shall reach**
5 **an agreement on a reasonable amount of time for the tribal government to respond and**
6 **provide input on the study.**

7 **(c) As determined through tribal engagement, the study and report must explicitly con-**
8 **sider impacts of and opportunities for nuclear energy development in Oregon with relation**
9 **to tribes, on and off-reservation treaty-reserved rights, first foods and cultural resources.**

10 **(4)(a) The department shall carry out its duties under this section:**

11 **(A) Contingent on the availability of moneys to conduct the work required by this section**
12 **from federal, private or other public sources, as described in paragraph (b) of this subsection;**

13 **(B) Utilizing a balanced range of available sources, such as:**

14 **(i) Relevant peer-reviewed academic research, including research that incorporates public**
15 **health data;**

16 **(ii) Independent cost analyses;**

17 **(iii) Existing resources from the federal Department of Energy National Laboratories;**
18 **and**

19 **(iv) Studies completed by other states; and**

20 **(C) In a financially prudent and expedient manner.**

21 **(b)(A) The department may accept, for purposes of conducting the study and making the**
22 **report required by this section, contributions of moneys and assistance from the United**
23 **States government or its agencies or from any other source, public or private, and agree to**
24 **conditions placed on the moneys not inconsistent with the duties described in this section.**

25 **(B) No later than 30 days after the receipt of any moneys or assistance for purposes of**
26 **conducting the study, the department shall report to the interim committees or committees**
27 **of the Legislative Assembly related to energy and post to the department's website a de-**
28 **scription of:**

29 **(i) The source of the moneys or assistance and the amount of moneys if applicable;**

30 **(ii) The anticipated use of the moneys or assistance in completing one or more portions**
31 **of the study required by this section; and**

32 **(iii) A disclosure of any potential conflicts of interest.**

33 **(C) No later than 30 days after final receipt of the full amount of moneys or assistance**
34 **necessary to complete the study, the department shall report to the Office of Legislative**
35 **Counsel and the interim committees or committees of the Legislative Assembly related to**
36 **energy, and post to the department's website, the date by which the department will com-**
37 **plete the study and submit the report required by this section.**

38 **(D) The department shall submit the report required under this section in the manner**
39 **provided by ORS 192.245 to the interim committees or committees of the Legislative Assem-**
40 **bly related to energy no later than one year after the date of final receipt of the full amount**
41 **of moneys or assistance necessary to complete the study.**

42 **(E) The final report shall include a full description of the sources of all moneys or as-**
43 **sistance utilized to complete the study, all sources of information utilized in completing the**
44 **study and a disclosure of any potential conflicts of interest.**

45 **(c) No later than February 15, 2027, the department shall provide an update on the**

1 department's progress in carrying out its duties under this section to the interim commit-
2 tees or committees of the Legislative Assembly related to energy.

3 **SECTION 2.** The Nuclear Energy Study Fund is established in the State Treasury, sepa-
4 rate and distinct from the General Fund. Interest earned by the Nuclear Energy Study Fund
5 shall be credited to the fund. All moneys in the Nuclear Energy Study Fund are continuously
6 appropriated to the State Department of Energy for the purposes of carrying out the duties
7 described in section 1 of this 2026 Act.

8 **SECTION 3.** (1) Sections 1 and 2 of this 2026 Act are repealed on January 2, 2030.

9 (2) Any moneys remaining in the Nuclear Energy Study Fund on January 2, 2030, that
10 are unexpended, unobligated and not subject to any conditions shall revert to the General
11 Fund.

12 **SECTION 4.** This 2026 Act being necessary for the immediate preservation of the public
13 peace, health and safety, an emergency is declared to exist, and this 2026 Act takes effect
14 on its passage.
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