

House Bill 4046

Sponsored by Representatives WRIGHT, LEVY B, EDWARDS, BOICE, BUNCH, OSBORNE, PHAM H, Senator SMITH DB; Representatives EVANS, HELM, 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 **as introduced**. 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. Directs the department to submit the report 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.

Sunset January 2, 2028.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

Relating to nuclear energy; and declaring an emergency.

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

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

(a)(A) The different sizes and technologies of advanced nuclear reactors;

(B) The inherent safety features of advanced nuclear reactors; and

(C) Terminology that is recommended for referencing in statute or regulation the different sizes and technologies of advanced nuclear reactors;

(b) The feasibility of constructing advanced nuclear reactor power plants, including small or micro reactors, in Oregon, including:

(A) Timing for developing nuclear energy projects;

(B) Life cycle costs of developing nuclear energy projects compared to other energy sources;

(C) Risks to health and the environment throughout the life cycle of a nuclear energy project;

(D) Measures for overcoming challenges to developing nuclear energy projects; and

(E) Government and industry support necessary for developing nuclear energy projects;

(c) How the use of nuclear energy may or may not support current energy systems, including the ability of the electric grid to meet load requirements under existing transmission constraints;

(d) How the use of nuclear energy may or may not support the development or decarbonization of high-energy use industries in Oregon, including through the use of nu-

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 **clear process heat for industrial applications;**
- 2 (e) The potential contributions of nuclear energy to support economic growth and
- 3 workforce development for Oregon communities;
- 4 (f) Safety of advanced nuclear reactors;
- 5 (g) A description of the type and characteristics of the nuclear waste that is produced
- 6 by currently operating nuclear energy generation sources in the United States and advanced
- 7 nuclear reactors, and the ability to safely and legally manage the nuclear waste of the type
- 8 produced from nuclear energy generation, including:
- 9 (A) Existing methods, locations and safety records in the United States for the storage
- 10 of nuclear waste from nuclear energy generation;
- 11 (B) Economic costs of disposing of nuclear waste; and
- 12 (C) Existing Oregon state and federal legal pathways for the recycling, reprocessing,
- 13 disposal and temporary and long-term storage of nuclear waste, and any pending or proposed
- 14 changes to existing pathways through legislation, regulation, policy directive or litigation;
- 15 (h) Reliability of nuclear energy;
- 16 (i) Financing, ownership models and other pathways for making nuclear energy viable
- 17 and cost-effective;
- 18 (j) The long-term outlook for advanced nuclear energy development in the United States,
- 19 including small and micro reactors;
- 20 (k) Existing statutes or rules that may need to be modified, or new rules that may need
- 21 to be adopted, to enable:
- 22 (A) The Energy Facility Siting Council to effectively undertake a siting process for ad-
- 23 vanced nuclear reactors in Oregon; and
- 24 (B) The State Department of Energy to effectively oversee the storage and management
- 25 of nuclear waste generated by advanced nuclear reactors;
- 26 (L) The anticipated application of state and local land use requirements to the siting of
- 27 a demonstration project, and any potential gaps in or opportunities for clarifications or
- 28 modifications to state or local land use requirements necessary to clarify the application of
- 29 state and local land use requirements to a demonstration project; and
- 30 (m) Existing statutes applicable to the Public Utility Commission and rules and orders
- 31 of the Public Utility Commission that may be applicable to the development of an advanced
- 32 nuclear reactor in Oregon.
- 33 (2) The department shall conduct the study in consultation with the following state
- 34 agencies and organizations:
- 35 (a) The Public Utility Commission;
- 36 (b) The Pacific Northwest Electric Power and Conservation Planning Council;
- 37 (c) The Department of Land Conservation and Development; and
- 38 (d) Oregon State University.
- 39 (3)(a) In developing the study, the department shall engage with the federally recognized
- 40 Indian tribes located in this state, relevant state agencies and stakeholders.
- 41 (b) Engagement with the Indian tribes must include direct written contact with the tribal
- 42 government of each Indian tribe. The department and each tribal government shall reach
- 43 an agreement on a reasonable amount of time for the tribal government to respond and
- 44 provide input on the study.
- 45 (c) As determined through tribal consultation, the study and report must explicitly con-

1 sider potential impacts of and opportunities for nuclear energy development in Oregon with
2 relation to tribes and tribal treaty rights, first foods and cultural resources.

3 (4) The department shall submit the report required under this section in the manner
4 provided by ORS 192.245, and may include recommendations for legislation, to the interim
5 committees or committees of the Legislative Assembly related to energy no later than Feb-
6 ruary 15, 2027.

7 (5)(a) The department shall carry out its duties under this section:

8 (A) Contingent on the availability of moneys from federal, private or other public
9 sources, as described in paragraph (b) of this subsection, to fund the department's work in
10 carrying out its duties under this section;

11 (B) Utilizing available resources, such as existing resources from the federal Department
12 of Energy National Laboratories and studies completed by other states; and

13 (C) In a financially prudent and expedient manner.

14 (b) The department may accept, for purposes of conducting the study and making the
15 report required by this section, contributions of moneys and assistance from the United
16 States government or its agencies or from any other source, public or private, and agree to
17 conditions placed on the moneys not inconsistent with the duties described in this section.
18 The department shall deposit any moneys the department accepts into the Nuclear Energy
19 Study Fund, established under section 2 of this 2026 Act.

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

25 SECTION 3. (1) Sections 1 and 2 of this 2026 Act are repealed on January 2, 2028.

26 (2) Any moneys remaining in the Nuclear Energy Study Fund on January 2, 2028, that
27 are unexpended, unobligated and not subject to any conditions shall revert to the General
28 Fund.

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

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