

HB 4046-2
(LC 309)
2/6/26 (CPA/ps)

Requested by Representative WRIGHT

**PROPOSED AMENDMENTS TO
HOUSE BILL 4046**

1 On page 1 of the printed bill, delete lines 4 through 24 and delete pages
2 2 and 3 and insert:

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

7 **“(a) A description of advanced nuclear reactor technology that in-**
8 **cludes a discussion of:**

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

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

13 **“(C) Terminology that is recommended for referencing advanced**
14 **nuclear reactors and different types and sizes of advanced nuclear re-**
15 **actors in statute or regulation;**

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

18 **“(A) Timing necessary for developing advanced nuclear reactor**
19 **projects, based on available information related to completed, can-**
20 **celed, ongoing and proposed projects;**

21 **“(B) A comparison of the levelized cost of energy for advanced nu-**

1 **clear reactors and other generation sources, using publicly available**
2 **data and established methodologies, with clear documentation of as-**
3 **sumptions and data limitations when proprietary information is not**
4 **available;**

5 “(C) Risks and benefits of nuclear energy generation for human
6 health and the environment, including any potential impacts for one
7 or more environmental justice communities, as defined in ORS
8 **469A.400;**

9 “(D) Government and industry support necessary for developing and
10 decommissioning nuclear energy projects;

11 “(E) Advantages and disadvantages of nuclear energy generation in
12 Oregon, relative to energy diversification, reliability performance,
13 transmission constraints and decarbonization;

14 “(F) Safety considerations, including emergency preparedness;

15 “(G) Use cases for advanced nuclear reactors as an on-site or oth-
16 erwise dedicated electricity generation source, or co-generation
17 source, for industrial facilities and large energy use facilities, as de-
18 fined in ORS 757.292;

19 “(H) Financing, ownership models, financial risk exposures and po-
20 tential ratepayer impacts; and

21 “(I) The long-term outlook for advanced nuclear reactor deploy-
22 ment in the United States;

23 “(c) The potential impacts of nuclear energy on economic growth
24 and workforce development for Oregon communities;

25 “(d) A description of the type and characteristics of nuclear waste
26 produced by currently operating nuclear energy generation sources in
27 the United States and advanced nuclear reactors, and the ability to
28 safely and legally manage the nuclear waste of the type produced from
29 nuclear energy generation, including:

30 “(A) Existing methods, locations and safety records in the United

1 States for the storage of nuclear waste from nuclear energy genera-
2 tion;

3 “(B) Economic costs of disposing of nuclear waste;

4 “(C) A literature review of the risks and benefits of recycling or
5 reprocessing nuclear waste, including existing federal research and
6 analysis; and

7 “(D) Existing Oregon state and federal legal pathways for the re-
8 cycling, reprocessing, disposal and temporary and long-term storage
9 of nuclear waste and any pending or proposed changes to existing
10 pathways through legislation, regulation, policy directive or litigation;
11 and

12 “(e) A description, developed through consultation with state
13 agencies listed or described in ORS 469.350 (2), the Oregon Health Au-
14 thority and any other state agencies that may have relevant regula-
15 tory or advisory expertise on nuclear energy, of:

16 “(A) All existing Oregon state statutes and rules applicable to nu-
17 clear energy generation, including but not limited to siting, permit-
18 ting, safety, operations, decommissioning and waste management; and

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

20 “(2) The department shall:

21 “(a) Conduct the study in consultation with:

22 “(A) The Pacific Northwest Electric Power and Conservation Plan-
23 ning Council; and

24 “(B) Oregon State University; and

25 “(b) Seek public input and provide opportunities for public comment
26 during the development of the report.

27 “(3)(a) In developing the study, the department shall engage with
28 the federally recognized Indian tribes located in this state.

29 “(b) Engagement with the Indian tribes must include direct written
30 contact with the tribal government of each Indian tribe. The depart-

1 ment and each tribal government shall reach an agreement on a rea-
2 sonable amount of time for the tribal government to respond and
3 provide input on the study.

4 “(c) As determined through tribal engagement, the study and report
5 must explicitly consider impacts of and opportunities for nuclear en-
6 ergy development in Oregon with relation to tribes, on and off-
7 reservation treaty-reserved rights, first foods and cultural resources.

8 “(4)(a) The department shall carry out its duties under this section:

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

12 “(B) Utilizing a balanced range of available sources, such as:

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

15 “(ii) Independent cost analyses;

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

18 “(iv) Studies completed by other states; and

19 “(C) In a financially prudent and expedient manner.

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

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

1 “(i) The source of the moneys or assistance and the amount of
2 moneys if applicable;

3 “(ii) The anticipated use of the moneys or assistance in completing
4 one or more portions of the study required by this section; and

5 “(iii) A disclosure of any potential conflicts of interest.

6 “(C) No later than 30 days after final receipt of the full amount of
7 moneys or assistance necessary to complete the study, the department
8 shall report to the Office of Legislative Counsel and the interim com-
9 mittees or committees of the Legislative Assembly related to energy,
10 and post to the department’s website, the date by which the depart-
11 ment will complete the study and submit the report required by this
12 section.

13 “(D) The department shall submit the report required under this
14 section in the manner provided by ORS 192.245 to the interim com-
15 mittees or committees of the Legislative Assembly related to energy
16 no later than one year after the date of final receipt of the full amount
17 of moneys or assistance necessary to complete the study.

18 “(E) The final report shall include a full description of the sources
19 of all moneys or assistance utilized to complete the study, all sources
20 of information utilized in completing the study and a disclosure of any
21 potential conflicts of interest.

22 “(c) No later than February 15, 2027, the department shall provide
23 an update on the department’s progress in carrying out its duties un-
24 der this section to the interim committees or committees of the Leg-
25 islative Assembly related to energy.

26 “**SECTION 2. The Nuclear Energy Study Fund is established in the**
27 **State Treasury, separate and distinct from the General Fund. Interest**
28 **earned by the Nuclear Energy Study Fund shall be credited to the**
29 **fund. All moneys in the Nuclear Energy Study Fund are continuously**
30 **appropriated to the State Department of Energy for the purposes of**

1 carrying out the duties described in section 1 of this 2026 Act.

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

4 **“(2)** Any moneys remaining in the Nuclear Energy Study Fund on
5 January 2, 2030, that are unexpended, unobligated and not subject to
6 any conditions shall revert to the General Fund.

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