

SECOND REGULAR SESSION

HOUSE BILL NO. 2237

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KORMAN.

6474H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 393, RSMo, by adding thereto one new section relating to the nuclear energy standard.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 393, RSMo, is amended by adding thereto one new section, to be known as section 393.1130, to read as follows:

393.1130. 1. This section shall be known and may be cited as “The Nuclear Energy Standard”.

2. For purposes of this section, the term “commission” shall mean the public service commission, the term “utility” shall mean any municipal utility, electrical cooperative regulated under chapter 394, or utility regulated by the commission under chapter 386, the term “operational” shall mean that a facility’s production has, in the opinion of the commission, become a reasonable and prudent business practice that is capable of continuing and capable of meeting the electricity demand required to meet the nuclear energy standards of this section, and the term “small modular nuclear reactor” shall mean a nuclear reactor based on fission that is approved under federal and state law and regulations to be constructed in this state which produces less than three hundred megawatts of clean electrical energy.

3. Upon the fulfillment of subsection 4 of this section, the commission shall prescribe by rule that all utilities in this state produce electricity using small modular nuclear reactors such that two percent of each utilities’ total electricity retail sales are made based on electricity generated by such reactors. The commission shall have discretion with regard to the time frame for requiring compliance with the nuclear energy

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 standard, but in no case shall it require full compliance less than three years from the
19 fulfillment of the conditions for the effective date of this section. The commission may
20 promulgate such rules or regulations as are necessary to administer the provisions of this
21 section. Any rule or portion of a rule, as that term is defined in section 536.010, that is
22 created under the authority delegated in this section shall become effective only if it
23 complies with and is subject to all the provisions of chapter 536 and, if applicable, section
24 536.028. This section and chapter 536 are nonseverable and if any of the powers vested
25 with the general assembly under chapter 536 to review, to delay the effective date, or to
26 disapprove and annual a rule are subsequently held unconstitutional, then the grant of
27 rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be
28 invalid and void.

29 4. This section shall become effective only if a production facility for small modular
30 nuclear reactors has been built in this state and is operational. Such facility shall have
31 produced no fewer than three small modular nuclear reactors in accordance with all
32 federal and state laws and regulations, and such reactors shall be legally available for sale
33 or use. If the commission determines that a production facility is properly operational in
34 accordance with this section, then it shall comply with the requirements of subsection 3 of
35 this section.

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