

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 302, Page 4, Section 135.963, Line 54,
2 by inserting after said section and line the following:

3
4 "393.1130. 1. This section shall be known and may be cited as "The Nuclear Energy
5 Standard".

6 2. As used in this section, the following terms shall mean:

7 (1) "Commission", the public service commission;

8 (2) "Small modular nuclear reactor", a nuclear reactor based on fission that is approved
9 under federal and state laws and regulations to be constructed in this state which produces less than
10 three hundred megawatts of clean electrical energy; and

11 (3) "Utility", any electrical corporation as defined under section 386.020, but this term shall
12 not include any electrical corporation as defined and set forth under subsection 2 of section 393.110.

13 3. Upon the fulfillment of subsection 4 of this section, the commission shall prescribe by
14 rule that all utilities in this state produce electricity using small modular nuclear reactors such that
15 two percent of each utility's total electricity retail sales are made based on electricity generated by
16 such reactors. The commission shall have discretion with regard to the time for requiring
17 compliance with the nuclear energy standard, but in no case shall it require full compliance less than
18 three years from the fulfillment of the conditions for the effective date of this section. The
19 commission may promulgate such rules or regulations as are necessary to administer the provisions
20 of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is
21 created under the authority delegated in this section shall become effective only if it complies with
22 and is subject to all the provisions of chapter 536 and, if applicable, section 536.028. This section
23 and chapter 536 are nonseverable, and if any of the powers vested with the general assembly
24 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
25 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or
26 adopted after August 28, 2017, shall be invalid and void.

27 4. This section shall become effective only if a production facility for small modular nuclear
28 reactors has been built in this state and is operational. A facility shall be classified as operational if
29 such facility has produced no fewer than three small modular nuclear reactors in accordance with all
30 federal and state laws and regulations, and such reactors are legally available for sale or use. If the
31 commission determines that a production facility is properly operational in accordance with this
32 section, then it shall comply with the requirements of subsection 3 of this section. The commission
33 shall notify the revisor of statutes when a facility has been built and becomes operational.

34 5. Notwithstanding subsection 3 to the contrary, a utility may petition the commission to
35 satisfy the two percent generation requirement from renewable or hydroelectric sources, or with the
36 purchase of renewable energy credits as defined in section 393.1025. The commission may grant

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1 such a petition upon a finding of undue hardship for compliance or due to a lack of increase in
2 demand for energy generation by the utility.

3 620.3080. 1. As used in this section, the following terms shall mean:

4 (1) "Job creation, worker training, and infrastructure development programs", the Missouri
5 works program established under sections 620.2000 to 620.2020, Missouri business use incentives
6 for large-scale development act established under sections 100.700 to 100.850, the Missouri works
7 training program established under sections 620.800 to 620.809, and the real property tax increment
8 allocation redevelopment act established under sections 99.800 to 99.865;

9 (2) "SMR production facility", a facility which produces nuclear reactors based on fission
10 that is approved under federal and state law and regulations to be constructed which produce less
11 than three hundred megawatts of clean electrical energy.

12 2. Notwithstanding any other provision of law to the contrary, no benefits authorized under
13 job creation, worker training, and infrastructure development programs for a SMR production
14 facility shall be considered in determining compliance with applicable limitations on the aggregate
15 amount of benefits that may be awarded annually or cumulatively under subdivision (3) of
16 subsection 10 of section 99.845, subsection 5 of section 100.850, subsection 7 of section 620.809,
17 and subsection 7 of section 620.2020. No SMR production facility shall be authorized for state
18 benefits under job creation, worker training, and infrastructure development programs that exceed,
19 in the aggregate, one hundred and fifty million dollars annually under all such programs."; and
20

21 Further amend said bill by amending the title, enacting clause, and intersectional references
22 accordingly.