

SECOND REGULAR SESSION

HOUSE BILL NO. 2598

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BLACK.

6274H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 640, RSMo, by adding thereto three new sections relating to nuclear energy projects.

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

Section A. Chapter 640, RSMo, is amended by adding thereto three new sections, to be known as sections 640.800, 640.801, and 640.802, to read as follows:

640.800. 1. Sections 640.800 to 640.802 shall be known and may be cited as the "Missouri Nuclear Energy Advancement Act."

2. As used in sections 640.801 and 640.802, the following terms shall mean:

(1) "Advanced nuclear reactor", a range of nuclear reactor technologies determined by the United States Nuclear Regulatory Commission to be either of generation III+ or generation IV nuclear reactors, including large light water reactors, small modular reactors, microreactors, and nuclear cogeneration;

(2) "Director", the director of the Missouri advanced nuclear energy office;

(3) "Eligible nuclear project", a new electric generation project located in the state involving the development of a natural gas electric generation facility with an advanced nuclear reactor;

(4) "Fund", the Missouri advanced nuclear development fund, established under section 640.802;

(5) "Office", the Missouri advanced nuclear energy office, established under section 640.801;

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.

16 (6) "Rate-based recovery", the recovery, by a public utility, as defined in section
17 386.020, of the utility's capital and operating costs for a project through inclusion of
18 such costs in the utility's rate base.

19 3. There shall be no prohibition on the construction or operation of nuclear
20 electric generation facilities in the state, provided that all licensing requirements of the
21 facilities have been satisfied and the state's emergency preparedness for nuclear electric
22 generation is considered to be in good standing by the Missouri state emergency
23 management agency.

 640.801. 1. The governor shall establish the Missouri advanced nuclear energy
2 office within the department of natural resources, to be headed by a director appointed
3 by the governor. The director shall not have any direct or indirect interests that
4 substantially conflict with the director's duties as the head of the office. The director
5 may hire additional staff as necessary to implement the duties of the office under this
6 section, subject to the availability of funds under this section.

7 2. The annual budget of the office shall not exceed seven hundred and fifty
8 thousand dollars.

9 3. The office shall administer the Missouri advanced nuclear development fund
10 established under section 640.802.

11 4. The duties of the office include:

12 (1) Soliciting of gifts, grants, tax credits, or donations to the fund for the purpose
13 of providing grants to eligible nuclear projects in the state;

14 (2) Establishing procedures and guidelines for the application, review, approval,
15 and monitoring of grants;

16 (3) Ensuring all grants are awarded in a fair, equitable, and transparent
17 manner;

18 (4) Requiring appropriate reporting and accountability from all recipients of
19 grants for failure to meet established goals;

20 (5) Entering into written agreements with recipients of grants under this section
21 before awarding such grants;

22 (6) Creating specific goals for the completion of projects for which grants are
23 awarded;

24 (7) Providing recipients terms of repayment of grants for failure to reach specific
25 goals for each project for which a grant is awarded;

26 (8) Evaluating each grant application based on the applicant's:

27 (a) Efficiency of operations to complete a project for which a grant is to be
28 awarded;

29 (b) Availability of resources essential for completing a project for which a grant
30 is requested;

31 (c) Ability to repay a grant if project goals are not met; and

32 (d) The project's potential benefit to the state.

33 5. The office may provide a reimbursement grant from the fund for expenses
34 associated with the construction of an eligible nuclear project in the state if such
35 expenses are limited to:

36 (1) Site planning, including conceptual site-specific engineering studies;

37 (2) Front-end engineering design;

38 (3) Identifying potential environmental hazards from a project for which a grant
39 is awarded;

40 (4) Any work done in preparation of the construction permit or license
41 application to state, local, or federal agencies;

42 (5) Nuclear Regulatory Commission licensing fees;

43 (6) Procurement and development of long-lead components; or

44 (7) Construction activities, including the manufacture, fabrication, quality
45 assurance, placement, erection, installation, modification, inspection, or testing of an
46 eligible nuclear project.

47 6. The director shall:

48 (1) Report any actual or potential conflicts of interest, or the appearance thereof,
49 to the governor's general counsel and the Missouri ethics commission; and

50 (2) Annually submit to the lieutenant governor and the general assembly a
51 report documenting each grant awarded under this section, including metrics indicating
52 the performance of each project for which a grant was awarded, if such information is
53 available at the time of reporting.

54 7. No grant under this section shall exceed one hundred million dollars.

55 8. Grants under this section shall not be used for projects where costs are
56 recovered through rate-based recovery, except as set forth in this section.

57 9. For a project involving the commission of an advanced nuclear reactor, the
58 office shall require that, until the advanced nuclear reactor is commissioned, the net
59 proceeds from the grant recipient's sales of electricity from a natural gas electric
60 generation facility shall be dedicated to funding the pre-commissioning costs of the
61 advanced nuclear reactor portion of such project including, but not limited to, costs for
62 siting, development, permitting, design, engineering, and construction.

63 10. Information submitted to the office in an application for a grant under this
64 section shall be considered confidential and shall remain confidential and shall not be

65 released by the office to the public or disclosed in response to any request, including a
66 records request under chapter 610.

640.802. There is hereby created in the state treasury the "Missouri advanced
2 nuclear development fund", which shall consist of gifts, grants, tax credits, or donations
3 solicited by the Missouri advanced nuclear energy office, established under section
4 640.801. The state treasurer shall be custodian of the fund. In accordance with sections
5 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a
6 dedicated fund and money in the fund shall be used solely by the office for the purposes
7 of providing grants to eligible nuclear energy projects. Notwithstanding the provisions
8 of section 33.080 to the contrary, any moneys remaining in the fund at the end of the
9 biennium shall not revert to the credit of the general revenue fund. The state treasurer
10 shall invest moneys in the fund in the same manner as other funds are invested. Any
11 interest and moneys earned on such investments shall be credited to the fund.

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