

SB23-016

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Lundeen

1 Amend printed bill, page 4, after line 3 insert:

2 "SECTION 2. In Colorado Revised Statutes, **add** 24-38.5-119 as
3 follows:

4 **24-38.5-119. Feasibility of small modular nuclear reactors as**
5 **a source of carbon-free energy - study - report - definitions -**
6 **appropriation - repeal.** (1) AS USED IN THIS SECTION, UNLESS THE
7 CONTEXT OTHERWISE REQUIRES:

8 (a) "CARBON-FREE ENERGY SOURCE" MEANS A SOURCE OF ENERGY
9 THAT DOES NOT PRODUCE ANY CARBON EMISSIONS IN ITS GENERATION.

10 (b) "DIRECTOR" MEANS THE DIRECTOR OF THE OFFICE OR THE
11 DIRECTOR'S DESIGNEE.

12 (c) "NET PRESENT VALUE OF REVENUE REQUIREMENTS" HAS THE
13 MEANING SET FORTH IN SECTION 40-1-102 (9).

14 (d) "OFFICE" MEANS THE COLORADO ENERGY OFFICE CREATED IN
15 SECTION 24-38.5-101.

16 (e) "SMALL MODULAR NUCLEAR REACTOR" OR "REACTOR" MEANS
17 A NUCLEAR REACTOR THAT:

18 (I) HAS A RATED CAPACITY OF NOT MORE THAN THREE HUNDRED
19 MEGAWATTS OF ELECTRICITY;

20 (II) CAN BE CONSTRUCTED AND OPERATED IN COMBINATION WITH
21 OTHER SIMILAR REACTORS AT A SINGLE SITE IF MULTIPLE REACTORS ARE
22 NECESSARY; AND

23 (III) HAS BEEN LICENSED BY THE UNITED STATES NUCLEAR
24 REGULATORY COMMISSION AND IS IN COMPLIANCE WITH ALL
25 REQUIREMENTS AND CONDITIONS ASSOCIATED WITH THE LICENSE.

26 (2) THE DIRECTOR SHALL CONDUCT OR CAUSE TO BE CONDUCTED
27 A STUDY REGARDING THE FEASIBILITY OF USING SMALL MODULAR
28 NUCLEAR REACTORS AS A CARBON-FREE ENERGY SOURCE FOR THE STATE.
29 THE STUDY MUST INCLUDE:

30 (a) AN EVALUATION OF:

31 (I) EXISTING STATE LAW TO DETERMINE AND IDENTIFY WHICH, IF
32 ANY, STATUTES AND AGENCY RULES WOULD NEED TO BE AMENDED TO
33 ENABLE THE CONSTRUCTION AND OPERATION OF SMALL MODULAR
34 NUCLEAR REACTORS IN THE STATE;

35 (II) THE ECONOMIC FEASIBILITY OF REPLACING CARBON-BASED
36 ENERGY SOURCES WITH REACTORS, WHILE ACCOUNTING FOR THE NET
37 PRESENT VALUE OF REVENUE REQUIREMENTS THAT WOULD RESULT FROM
38 THE RETIREMENT OF COAL-FIRED PLANTS;

39 (III) THE SAFETY OF AND THE WASTE STREAM RESULTING FROM
40 THE CONSTRUCTION AND OPERATION OF REACTORS; AND

1 (IV) THE PROPERTY TAX BENEFITS TO COUNTIES, SCHOOL
2 DISTRICTS, AND SPECIAL TAXING DISTRICTS IN CONNECTION WITH THE USE
3 OF REACTORS;
4 (b) AN ESTIMATE OF THE NUMBER OF JOBS THAT COULD BE
5 CREATED AND THE OVERALL IMPACT TO LOCAL ECONOMIES IN
6 CONNECTION WITH THE USE OF SMALL MODULAR NUCLEAR REACTORS;
7 (c) A COMPARISON OF THE RELIABILITY AND COST OF SMALL
8 MODULAR NUCLEAR REACTORS AND OF NATURAL GAS, WIND, AND SOLAR
9 ENERGY PRODUCTION;
10 (d) THE IDENTIFICATION OF LOCAL GOVERNMENT PERMITTING
11 REQUIREMENTS OR APPROVALS THAT WOULD BE REQUIRED FOR THE
12 OPERATION OF SMALL MODULAR NUCLEAR REACTORS IN THE STATE; AND
13 (e) ANY OTHER INFORMATION THAT THE DIRECTOR DEEMS
14 NECESSARY.
15 (3) ON OR BEFORE JULY 1, 2025, THE DIRECTOR SHALL SUBMIT
16 FINDINGS AND CONCLUSIONS OF THE FEASIBILITY STUDY REQUIRED IN
17 SUBSECTION (2) OF THIS SECTION TO THE HOUSE OF REPRESENTATIVES
18 ENERGY AND ENVIRONMENT COMMITTEE AND THE SENATE
19 TRANSPORTATION AND ENERGY COMMITTEE, OR THEIR SUCCESSOR
20 COMMITTEES. THE FINDINGS AND CONCLUSIONS SUBMITTED MUST
21 INCLUDE ANY RECOMMENDATIONS REGARDING:
22 (a) THE POTENTIAL FOR USING SMALL MODULAR NUCLEAR
23 REACTORS TO PROVIDE ENERGY IN THE STATE; AND
24 (b) ADMINISTRATIVE OR LEGISLATIVE ACTION NEEDED TO
25 PROMOTE THE USE OF SMALL MODULAR NUCLEAR REACTORS IN THE STATE.
26 (4) FOR THE 2023-24 STATE FISCAL YEAR, THE GENERAL
27 ASSEMBLY SHALL APPROPRIATE TWO HUNDRED FIFTY THOUSAND DOLLARS
28 FROM THE GENERAL FUND TO THE OFFICE FOR USE BY THE OFFICE IN
29 IMPLEMENTING THIS SECTION.
30 (5) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2026."

31 Renumber succeeding sections accordingly.

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