



**DATE** February 23, 2023  
**SUBJECT** State and Federal Nuclear Regulation

**MEMO**

## State Legislation Related to Nuclear Energy

States take many approaches to incentivize or restrict nuclear energy production (**Table 1**). Missouri currently does not have any statutory nuclear incentives or regulations

**Table 1. Summary of state nuclear energy policies, as of February 2023 (NCSL n.d.; Shea 2017).**

<b>Restrictions on new construction</b>	
Full ban on new facilities	MN
Ban on new facilities in specific area(s) of state	NY
Required approval by state legislature	HI, IL, MA, RI, VT
Required approval by voters	ME, MA, OR
Required plan for spent nuclear fuel	CA, CT, IL, ME, NJ, OR
<b>Incentivizing nuclear production</b>	
Zero emissions credits based on carbon-free electricity generated	IL, NY
Utilities can collect construction costs before project is finished	FL, GA, SC
Clean energy requirements that include nuclear energy	IN, UT

## Recent Federal Legislation

The **U.S. Nuclear Regulatory Commission (NRC)** regulates nuclear reactor and material safety, licenses new reactors, and performs safety and environmental reviews. Two recent federal bills include provisions to support new and existing nuclear energy operations in the U.S.

The **Bipartisan Infrastructure Law (BIL)** includes incentives for nuclear power plants, such as:

- \$6 billion to the [Civil Nuclear Credit Program](#) to help prevent existing nuclear reactors from closing.
- \$2.5 billion to support [advanced nuclear reactor demonstrations](#) in Wyoming and Washington

The **Inflation Reduction Act (IRA)** includes production tax credits for existing (\$15/MWh) or new (\$25/MWh) reactors. New, carbon-free plants that don't claim the production credit are eligible for a 30% investment tax credit if they start operations after 2024. Incentives for new plants include a 10% bonus if the plant is built in fossil fuel industry-dependent communities or potentially contaminated sites (brown field sites).