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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 4389

03/17/2022

Authored by Mekeland

The bill was read for the first time and referred to the Committee on Climate and Energy Finance and Policy

1.1 A bill for an act  
1.2 relating to energy; modifying the prohibition on construction of new  
1.3 nuclear-powered electric generating plants; amending Minnesota Statutes 2020,  
1.4 section 216B.243, subdivision 3b.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2020, section 216B.243, subdivision 3b, is amended to read:

1.7 Subd. 3b. **Nuclear power plant; new construction prohibited; relicensing.** (a) The  
1.8 commission may not issue a certificate of need for the construction of a new nuclear-powered  
1.9 electric generating plant.

1.10 (b) Any certificate of need for additional storage of spent nuclear fuel for a facility  
1.11 seeking a license extension shall address the impacts of continued operations over the period  
1.12 for which approval is sought.

1.13 (c) The prohibition in paragraph (a) does not apply to construction of a new small-scale  
1.14 nuclear-powered electric generating plant. For purposes of this subdivision, "small-scale  
1.15 nuclear-powered electric generating plant" means a nuclear-powered generating plant that  
1.16 generates 100 megawatts or less of electric energy.

1.17 **EFFECTIVE DATE.** This section is effective the day following final enactment.