

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1461 (2026)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u> (Y/N)
ADOPTED AS AMENDED	<u> </u> (Y/N)
ADOPTED W/O OBJECTION	<u> </u> (Y/N)
FAILED TO ADOPT	<u> </u> (Y/N)
WITHDRAWN	<u> </u> (Y/N)
OTHER	<u> </u>

1 Committee/Subcommittee hearing bill: Economic Infrastructure
2 Subcommittee

3 Representative Miller offered the following:

4

5 **Amendment**

6 Remove lines 73-290 and insert:

7 in this state is granted to the commission. At a minimum, the
8 commission shall do all of the following:

9 1. Evaluate and approve designs for advanced nuclear
10 reactors.

11 2. Issue permits for the possession, transportation,
12 transfer, and use of nuclear materials in sufficient quantities
13 to facilitate advanced nuclear reactor research, design,
14 testing, construction, and operation.

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15 3. Prescribe safety and construction standards for the use
16 of nuclear materials in the development and operation of
17 advanced nuclear reactors.

18 (b) The Department of Health may exercise its powers and
19 duties granted under chapter 404 for the regulation of advanced
20 nuclear reactors under this section. The Department of Health
21 shall develop appropriate guidelines for nuclear facilities and
22 advanced nuclear reactors to mitigate harm to human health
23 resulting from radiological exposure.

24 (c) The Department of Environmental Protection may
25 exercise its powers and duties granted under chapter 403 for the
26 regulation of advanced nuclear reactors under this section. The
27 Department of Environmental Protection shall develop appropriate
28 guidelines for nuclear facilities and advanced nuclear reactors
29 to mitigate environmental harm and promote the efficient and
30 sustainable use of water and other natural resources.

31 (d) The commission, the Department of Health, and the
32 Department of Environmental Protection shall jointly establish
33 criteria for the certification of laboratories that perform
34 analysis on nuclear materials for the purpose of researching,
35 designing, testing, or otherwise developing technology for
36 nuclear power plants under this section.

37 (3) A person, corporation, or entity may possess nuclear
38 materials for, and in quantities sufficient to facilitate, the
39 research, design, testing, construction, and operation of

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40 advanced nuclear reactors. However, except for active military
41 personnel or contractors acting pursuant to a lawful military
42 order, a person, corporation, or entity may not possess nuclear
43 materials in quantities that pose a danger to national defense
44 and security or public health and safety.

45 (4) (a) The operator of a facility conducting research and
46 testing of advanced nuclear reactors must obtain a permit from
47 the commission for the use and storage of nuclear materials to
48 facilitate such research and testing.

49 (b) A person, corporation, or entity must obtain a permit
50 from the commission for the transfer, receipt, possession, use,
51 or disposal of nuclear materials relating to the operation of
52 advanced nuclear reactors.

53 (c) Before issuing a permit under this subsection, the
54 commission must determine that the facility or reactor is
55 equipped with radiation control devices that will abate or
56 prevent radiological contamination in compliance with the
57 standards and rules established under this section.

58 (5) (a) The construction or significant design modification
59 of an advanced nuclear reactor must be certified by the
60 commission before such construction or modification may begin.

61 (b) Before issuing a certification under this subsection,
62 the commission must consider, at a minimum, all of the
63 following:

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64 1. The extent to which the design will effectively
65 mitigate and prevent danger to the public health and safety.

66 2. The compliance of the design with the safety standards
67 prescribed by the commission.

68 3. The ability of the design to address known or
69 reasonably foreseeable risks, including system failures,
70 accidents, natural disasters, and extreme weather events.

71 4. The completeness and accuracy of engineering
72 calculations and testing data for the design.

73 5. The ability of the design to promote the efficient and
74 sustainable use of water and other natural resources.

75 (c) The construction or significant design modification of
76 an advanced nuclear reactor must include radiation control
77 devices that will abate or prevent radiological contamination in
78 compliance with the standards and rules established under this
79 section.

80 (6) If an applicant has been issued a permit or
81 certification from another state or federal agency for the
82 activities under this section, the commission may issue a
83 reciprocal permit or certification if the safety standards of
84 the other state or federal agency are no less stringent than the
85 standards and rules established under this section.

86 (7) A person, corporation, or entity who violates this
87 section or any rules adopted hereunder is subject to a civil
88 penalty not to exceed \$100,000 for each violation for each day

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89 the violation persists, except that the maximum civil penalty
90 may not exceed \$1 million for any related series of violations.

91 (8) The commission, after consultation with the Department
92 of Health and the Department of Environmental Protection, shall
93 adopt rules to implement this section. In developing such rules,
94 the commission shall refer to part II of this chapter and the
95 rules and regulations established thereunder.

96 **Section 2. Paragraph (j) of subsection (2) of section**
97 **186.801, Florida Statutes, is redesignated as paragraph (1), and**
98 **new paragraphs (j) and (k) are added to that section, to read:**

99 186.801 Ten-year site plans.—

100 (2) Within 9 months after the receipt of the proposed
101 plan, the commission shall make a preliminary study of such plan
102 and classify it as "suitable" or "unsuitable." The commission
103 may suggest alternatives to the plan. All findings of the
104 commission shall be made available to the Department of
105 Environmental Protection for its consideration at any subsequent
106 electrical power plant site certification proceedings. It is
107 recognized that 10-year site plans submitted by an electric
108 utility are tentative information for planning purposes only and
109 may be amended at any time at the discretion of the utility upon
110 written notification to the commission. A complete application
111 for certification of an electrical power plant site under
112 chapter 403, when such site is not designated in the current 10-
113 year site plan of the applicant, shall constitute an amendment

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114 to the 10-year site plan. In its preliminary study of each 10-
115 year site plan, the commission shall consider such plan as a
116 planning document and shall review:

117 (j) The amount of nuclear energy resources the utility
118 produces or purchases.

119 (k) The amount of nuclear energy resources the utility
120 plans to produce or purchase over the 10-year planning horizon
121 and the means by which the production or purchases will be
122 achieved.

123 **Section 3. Subsection (8) of section 366.02, Florida**
124 **Statutes, is amended to read:**

125 366.02 Definitions.—As used in this chapter:

126 (8) "Public utility" means every person, corporation,
127 partnership, association, or other legal entity and their
128 lessees, trustees, or receivers supplying electricity or gas
129 (natural, manufactured, or similar gaseous substance) to or for
130 the public within this state; but the term "public utility" does
131 not include either a cooperative now or hereafter organized and
132 existing under the Rural Electric Cooperative Law of the state;
133 a municipality or any agency thereof; any entity, other than an
134 electric utility, that produces electricity from an advanced
135 nuclear reactor that is not interconnected to this state's
136 electrical power grid for its own consumption or supplies such
137 electricity for consumption by a single consumer; any dependent
138 or independent special natural gas district; any natural gas

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139 transmission pipeline company making only sales or
140 transportation delivery of natural gas at wholesale and to
141 direct industrial consumers; any entity selling or arranging for
142 sales of natural gas which neither owns nor operates natural gas
143 transmission or distribution facilities within the state; or a
144 person supplying liquefied petroleum gas, in either liquid or
145 gaseous form, irrespective of the method of distribution or
146 delivery, or owning or operating facilities beyond the outlet of
147 a meter through which natural gas is supplied for compression
148 and delivery into motor vehicle fuel tanks or other
149 transportation containers, unless such person also supplies
150 electricity or manufactured or natural gas.

151 **Section 4. Subsections (1), (2), and (3) of section**

152 **366.92, Florida Statutes, are amended to read:**

153 366.92 Florida renewable energy policy.—

154 (1) It is the intent of the Legislature to promote the
155 development of clean renewable energy; protect the economic
156 viability of Florida's existing clean renewable energy
157 facilities; diversify the types of fuel used to generate
158 electricity in Florida; lessen Florida's dependence on natural
159 gas and fuel oil for the production of electricity; minimize the
160 volatility of fuel costs; encourage investment within the state;
161 improve environmental conditions; and, at the same time,
162 minimize the costs of power supply to electric utilities and
163 their customers.

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164 (2) As used in this section, the term:

165 (a) "Clean energy" includes energy produced by nuclear
166 reactors and includes renewable energy and renewable natural gas
167 as those terms are defined in s. 366.91.

168 (b) ~~(a)~~ "Provider" means a "utility" as defined in s.
169 366.8255(1) (a).

170 (b) ~~"Renewable energy" includes renewable energy and~~
171 ~~renewable natural gas as those terms are defined in s.~~
172 ~~366.91(2).~~

173 (3) Each ~~municipal electric utility and rural electric~~
174 ~~cooperative~~ shall develop standards for the promotion,
175 encouragement, and expansion of the use of clean renewable
176 energy resources and energy conservation and efficiency
177 measures. On or before April 1, annually, each ~~municipal~~
178 ~~electric utility and electric cooperative~~ shall submit to the
179 commission a report that identifies such standards.

180 **Section 5. Paragraph (m) is added to subsection (3) of**
181 **section 377.601, Florida Statutes, to read:**

182 377.601 Legislative intent.—

183 (3) In furtherance of the goals in subsection (2), it is
184 the policy of the state to:

185 (m) Encourage the research, development, demonstration,
186 and application of domestic advanced nuclear energy resources.

187 **Section 6. Subsection (1) of section 403.506, Florida**
188 **Statutes, is amended to read:**

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189 403.506 Applicability, thresholds, and certification.—

190 (1) (a) The provisions of This act applies shall apply to
191 any electrical power plant as defined herein, except that the
192 provisions of this act does shall not apply to the following,
193 unless the applicant has elected to apply for certification
194 under this act:

195 1. Any electrical power plant of less than 75 megawatts in
196 gross capacity, including its associated facilities, unless the
197 applicant has elected to apply for certification of such
198 electrical power plant under this act.

199 2. The provisions of this act shall not apply to Capacity
200 expansions of 75 megawatts or less, in the aggregate, of an
201 existing exothermic reaction cogeneration electrical generating
202 facility that was exempt from this act when it was originally
203 built; however, this exemption shall not apply if the unit uses
204 oil or natural gas for purposes other than unit startup.

205 3. Capacity expansions of 75 megawatts or less, in the
206 aggregate, of one or more advanced nuclear reactors as defined
207 in s. 403.541 installed within the boundaries of an electrical
208 power plant site previously certified under this act.

209 4. One or more advanced nuclear reactors as defined in s.
210 403.541 to be located within the boundaries of an electrical
211 power plant site previously certified under this act, provided
212 that:

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213 a. The advanced nuclear reactor or reactors are intended
214 to replace an existing electrical power plant located on the
215 site.

216 b. The certificate holder intends to retire the existing
217 electrical power plant from service.

218 c. The gross capacity of the advanced nuclear reactor or
219 reactors, in the aggregate, does not exceed the gross capacity
220 of the electrical power plant to be retired.

221 5. One or more advanced nuclear reactors as defined in s.
222 403.541 that are not interconnected to this state's electrical
223 power grid and that are owned by an entity other