

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1461 (2026)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED        (Y/N)

ADOPTED AS AMENDED        (Y/N)

ADOPTED W/O OBJECTION        (Y/N)

FAILED TO ADOPT        (Y/N)

WITHDRAWN        (Y/N)

OTHER           

Committee/Subcommittee hearing bill: Economic Infrastructure  
Subcommittee

Representative Miller offered the following:

**Amendment**

Remove lines 73-290 and insert:

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

1. Evaluate and approve designs for advanced nuclear  
reactors.

2. Issue permits for the possession, transportation,  
transfer, and use of nuclear materials in sufficient quantities  
to facilitate advanced nuclear reactor research, design,  
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 (l), 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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transmission pipeline company making only sales or transportation delivery of natural gas at wholesale and to direct industrial consumers; any entity selling or arranging for sales of natural gas which neither owns nor operates natural gas transmission or distribution facilities within the state; or a person supplying liquefied petroleum gas, in either liquid or gaseous form, irrespective of the method of distribution or delivery, or owning or operating facilities beyond the outlet of a meter through which natural gas is supplied for compression and delivery into motor vehicle fuel tanks or other transportation containers, unless such person also supplies electricity or manufactured or natural gas.

**Section 4. Subsections (1), (2), and (3) of section 366.92, Florida Statutes, are amended to read:**

366.92 Florida renewable energy policy.—

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

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

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

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

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

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

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

377.601 Legislative intent.—

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

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

**Section 6. Subsection (1) of section 403.506, Florida 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