

CHAPTER 380

AN ACT directing the Board of Public Utilities to conduct a study concerning the development of advanced reactors throughout the State.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The Legislature finds and declares that:

- a. Nuclear energy currently provides over 40 percent of New Jersey's electricity and represents a reliable, zero-emission baseload power source.
- b. New Jersey is committed to reducing greenhouse gas emissions while ensuring safety, energy reliability, affordability, and security.
- c. Nuclear reactors offer a carbon-free, safe, and scalable energy solution that complements the State's energy and environmental goals.
- d. In order to successfully deploy advanced reactors, the State must conduct feasibility studies to ensure regulatory clarity, engage with the public, and gain private-sector investment.
- e. It is therefore in the public interest for New Jersey to establish a structured process to assess the viability of advanced reactor development throughout the State.

2. As used in this act:

"Advanced reactor" means a nuclear reactor, including a prototype plant, as defined in 10 C.F.R. s.50.2 and s.52.1, with significant improvements compared to reactors operating on December 27, 2020, including improvements such as: additional inherent safety features; lower waste yields; improved fuel and material performance; increased tolerance to loss of fuel cooling; enhanced reliability or improved resilience; increased proliferation resistance; increased thermal efficiency; reduced consumption of cooling water and other environmental impacts; the ability to integrate into electric applications and nonelectric applications; modular sizes to allow for deployment that corresponds with the demand for electricity or process heat; and operational flexibility to respond to changes in demand for electricity or process heat and to complement integration with intermittent renewable energy or energy storage.

"Board" means the Board of Public Utilities.

"Nuclear reactor" means an apparatus required to be licensed by the United States Nuclear Regulatory Commission that is designed or used to sustain nuclear fission in a self-supporting chain reaction.

"Small modular reactor" or "SMR" means an advanced reactor that: has a rated electric generating capacity of no more than 1,000 megawatts thermal; may be of modular design; and is capable of being constructed and operated either alone or in combination with one or more similar reactors if additional reactors are or become necessary at a single site.

3. a. The Board of Public Utilities, in consultation with the Department of Environmental Protection and the New Jersey Economic Development Authority, shall conduct a study and prepare and submit, within 18 months of the effective date of this act, to the Governor, and to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), a written report concerning the feasibility of developing advanced reactors throughout the State, including recommendations for the feasibility of, need for, and design of a program for developing small modular or advanced reactors.

b. In conducting the study, the board shall:

(1) determine suitable locations for deploying advanced reactors, including current and former industrial sites, retired fossil fuel generation facilities, and locations on or near former and current nuclear sites;

(2) consult the United States Nuclear Regulatory Commission for regulatory and permitting requirements;

(3) examine the economic viability and potential cost-saving mechanisms available for advanced reactors, including any federal programs, private investments, and State funding opportunities;

(4) consider safety precautions and environmental impacts, including, but not limited to, compliance with applicable laws and regulators, emergency preparedness and response, biohazard waste management, cyber security, and water usage;

(5) evaluate the ability to integrate advanced reactors with existing energy infrastructure and associated cost recovery mechanisms to pay for upgrades or other non-wire alternatives;

(6) conduct a minimum of three public stakeholder sessions in order to assess public perception, environmental impacts, and stakeholder value in the Statewide development of advanced reactors;

(7) provide a recommendation on the feasibility of, need for, and design of a program in the State for deploying advanced reactors Statewide; and

(8) publish its findings on the board's Internet website.

c. The board may secure any sources of funding provided by federal and State grants, private-sector investments, and public-private partnerships in order to effectuate the provisions of this act.

4. This act shall take effect immediately and shall expire 30 days after the board submits the report required pursuant to subsection a. of section 3 of this act.

Approved January 20, 2026.