



www.lsc.ohio.gov

# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 104  
133<sup>rd</sup> General Assembly

## Fiscal Note & Local Impact Statement

[Click here for H.B. 104's Bill Analysis](#)

**Version:** As Passed by the House

**Primary Sponsor:** Rep. Stein

**Local Impact Statement Procedure Required:** Yes

Russ Keller, Senior Economist

### Highlights

- The bill creates the Ohio Nuclear Development Authority within the Ohio Department of Commerce, which would work with industrial and academic institutions and the United States Department of Energy or branches of the United States military to approve designs for the commercialization of advanced-nuclear-reactor components.
- The bill provides that the Authority consists of nine members appointed by the Governor, but does not provide for compensation of such members. The bill permits the Authority to make use of the Department of Commerce staff in carrying out its duties, subject to a mutual agreement between the Authority and the Department.
- The bill creates various duties for the Authority and the Department of Commerce, but does not appropriate any funds for these activities.

### Detailed Analysis

The bill establishes the Ohio Nuclear Development Authority (or "Authority") within the Ohio Department of Commerce. For the purpose of carrying out its duties under the bill, the Authority may make use of the staff and experts employed at the Department of Commerce in such manner as is provided by mutual arrangement between the Authority and the Department.

The Authority is created as a nine-member entity, appointed by the Governor and approved by the Senate, to: (1) serve as an information resource on advanced-nuclear-research reactors, isotopes, and isotope technologies, and (2) to make Ohio a leader in the development and construction of new-type advanced-nuclear-research reactors, the commercial production of isotopes and research, and in the research and development of high-level-nuclear-waste reduction and storage technology.

H.B. 104 requires the Authority to work with industrial and academic institutions and the United States Department of Energy or branches of the United States military to approve designs for the commercialization of advanced-nuclear-reactor components.

On or before July 4 of each year, the Authority must submit an annual report of its activities to the Governor and General Assembly. H.B. 104 also requires the report to be posted to the Authority's website.

The bill requires that initial appointments "shall be made not later than sixty days after the effective date of an agreement with" the U.S. Nuclear Regulatory Commission, the U.S. Department of Energy, any branch of the U.S. military, or another specified federal agency, delegating authority relating to nuclear energy to the Authority.

Section 4164.19 of the bill states "Nothing in this chapter shall be construed to supersede any agreement between the department of health and the United States nuclear regulatory commission entered into under section 3748.03 of the Revised Code with respect to regulating activities not within the scope of activities" of the Authority.

The Department of Commerce and the Authority will incur an indeterminate amount of expenditures once members are appointed to the Authority. H.B. 104 does not specify any form of compensation for members of the Authority nor does it appropriate funds, but regards the Authority's use of its powers as "the performance of an essential governmental function and [addressing] matters of public necessity for which public moneys may be spent and private property acquired."