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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Legislative Budget
Office

H.B. 434
134th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 434's Bill Analysis](#)

Version: As Passed by the House

Primary Sponsor: Rep. Stein

Local Impact Statement Procedure Required: No

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Highlights

- The bill creates the Ohio Nuclear Development Authority (ONDA) within the Department of Development (DEV) with the purpose of making Ohio a leader regarding nuclear energy. DEV will incur new administrative and operational costs to support ONDA. The magnitude of these costs is unclear.
- The bill also creates the Ohio Nuclear Development Authority Nominating Council to review, evaluate, and recommend members to ONDA. Any costs incurred by the Council would likely be covered by DEV. Any costs incurred by the Council would likely be minimal at most.

Detailed Analysis

Ohio Nuclear Development Authority

The bill creates the Ohio Nuclear Development Authority (ONDA) within the Department of Development (DEV) with the purpose of making Ohio a leader regarding nuclear energy and other nuclear energy-related research, development, and construction. As a result, DEV would incur new costs to pay for the administrative and operational functions of ONDA and to provide staff and experts to assist ONDA in carrying out its duties. The magnitude of these new costs is unclear. The bill is silent regarding the source of funding to cover these expenses.

ONDA duties and responsibilities

The bill requires ONDA to work with industrial and academic institutions and the U.S. Department of Energy or U.S. military branches to approve designs for the commercialization of advanced nuclear reactor components including research and experimentation. The bill requires ONDA to give priority to projects that reduce nuclear waste and produce isotopes. To carry out these duties, the bill allows ONDA to foster innovative partnerships among Ohio's public

institutions of higher education, private companies, federal laboratories, and nonprofit organizations; identify and support development of education programs related to Ohio's isotope industry; and assume any regulatory powers delegated from the U.S. Nuclear Regulatory Commission (USNRC), the U.S. Department of Energy (USDOE), any U.S. military branch, or similar federal agencies or programs governing the construction and operation of noncommercial power-producing nuclear reactors and the handling of radioactive materials. The bill also allows ONDA to act in place of the Governor in approving agreements with USNRC and joint-development agreements with USDOE and other regulatory agencies under certain circumstances. The bill requires ONDA to annually, by July 4, submit a report of its activities to the Governor, the Speaker of the House of Representatives, the President of the Senate, and the chairs of the House and Senate committees that oversee energy-related issues. The bill also requires this report to be made publicly available on ONDA's website.

ONDA membership

Under the bill, ONDA would consist of nine members appointed by the Governor from stakeholder groups within the nuclear engineering and manufacturing industry. The bill does not specify compensation terms for the members. Presumably, members would be paid in accordance with pay schedules established for similar authorities, boards, and commissions. Under current law, members of similar entities are compensated according to schedule E-2 as specified in R.C. 124.152. For FY 2022, member compensation could be between \$16.23 per hour and \$99.83 per hour depending on the specific pay range assigned by the DEV Director.

Ohio Nuclear Development Authority Nominating Council

The bill also creates the Ohio Nuclear Development Authority Nominating Council to review, evaluate, and make recommendations to the Governor for potential appointees to serve as members of ONDA. Under the bill, the Council would consist of seven members, including the President of the Senate or designee, the Speaker of the House of Representatives or designee, and five members of the Ohio State University's Nuclear External Advisory Board, each appointed by the Governor. The bill specifies that members of the Council serve without compensation. It is possible that the Council may incur some administrative costs to carry out its duties. However, any costs would likely be minimal at most. Any costs incurred by the Council would likely be covered under the DEV operating budget via whatever mechanism is assigned to pay the costs of ONDA.