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**SENATE BILL 5821**

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**State of Washington**

**69th Legislature**

**2026 Regular Session**

**By** Senators Braun, Shewmake, Boehnke, Christian, Conway, Dozier, Gildon, Holy, Nobles, Riccelli, Salomon, Short, Warnick, Wellman, and J. Wilson

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1 AN ACT Relating to integrating advanced nuclear energy into the  
2 state energy strategy; adding a new section to chapter 43.21F RCW;  
3 and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

6 (a) Washington has established ambitious decarbonization policies  
7 to shape energy consumption in the state, including:

8 (i) Economy-wide greenhouse gas emission limits that reach 95  
9 percent below 1990 levels by 2050, per chapter 70A.45 RCW; and

10 (ii) Specific requirements that electricity sales to retail  
11 electric customers be entirely from renewable or nonemitting sources,  
12 beginning in 2045, per chapter 19.405 RCW;

13 (b) Overall in-state energy demand is expected to grow in coming  
14 years. Rapidly occurring advances in computing, data storage, and  
15 artificial intelligence, increases in electrification among  
16 transportation and the built environment, decarbonization public  
17 policies including the Washington clean energy transformation act,  
18 pressure on existing energy sources, and more are expected to  
19 contribute substantially to growing energy demand and necessitate the  
20 build-out of new sources of reliable, stable, and affordable clean  
21 power;

1 (c) Washington's most recent electric utility fuel mix disclosure  
2 report indicates that approximately 19 percent of electricity  
3 currently supplied to Washington customers is generated from emitting  
4 resources that must be supplanted to achieve the clean energy  
5 transformation act's requirement that retail electricity be  
6 greenhouse gas neutral by 2030 and entirely nonemitting by 2045.  
7 Advanced nuclear power technologies offer a particularly efficient  
8 pathway to replace these emitting resources because nuclear  
9 generation operates at a significantly higher capacity factor than  
10 wind or solar resources, thereby producing substantially more clean,  
11 firm energy per unit of installed capacity. As a result, the addition  
12 of advanced fission nuclear power can reduce the total number of new  
13 generating facilities, transmission interconnections, and land area  
14 otherwise required to meet Washington's decarbonization goals, which  
15 will speed siting, while also providing stable, dispatchable output  
16 necessary to ensure system reliability during periods of peak winter  
17 energy demand, prolonged low-wind conditions, or reduced sunlight.  
18 Integrating advanced nuclear power into Washington's energy portfolio  
19 can therefore help the state to achieve its decarbonization goals  
20 more rapidly, at lower systemwide cost, and with greater long-term  
21 reliability than would be feasible if the state were to rely solely  
22 on additional variable renewable resources to replace the emitting  
23 generation identified in the 2023 fuel mix report;

24 (d) Under current federal and state policy and tax incentive  
25 structures, fission nuclear power technologies are increasingly  
26 likely to be economically viable and technically and operationally  
27 feasible options to build to meet the growing energy demand and the  
28 state's required transition to cleaner energy. The feasibility of  
29 adding new fission nuclear power sources into the state's clean  
30 energy portfolio is furthered substantially by recent advancements in  
31 nuclear power technologies, including the maturation of small modular  
32 reactor proposals, new reactor design innovations, and spent fuel  
33 solutions;

34 (e) Washington has a robust infrastructure of support for  
35 advanced nuclear systems including, but not limited to, a highly  
36 talented workforce in the Tri-Cities region, waste disposal policies  
37 and programs, academic and research systems, interconnection, public  
38 and private utility knowledge, and more;

39 (f) The current state energy strategy, which was last updated in  
40 2020, relies on a number of assumptions that already appear outdated

1 and unlikely to transpire as envisioned. These outdated assumptions  
2 include forecasts that large volumes of wind and solar generation in  
3 Wyoming and Montana would be developed in coming years, and that  
4 sufficient new long distance transmission would be built to  
5 accommodate the import of large volumes of electricity from other  
6 states into Washington. By contrast, the 2021 state energy strategy  
7 did not analyze certain, increasingly likely scenarios that would  
8 increase the viability of the build-out of new nuclear generation  
9 capacity. The 2024 state biennial energy report, released in 2025,  
10 supports expanding technologies that are not currently financially  
11 feasible without additional development.

12 (2) Therefore, in light of the urgency of the need for new power  
13 sources to ensure a transition to clean energy and to power the  
14 economy of the future, the department of commerce is directed to seek  
15 nonstate funds to develop a nuclear power strategic framework to  
16 assess strategies, benefits, and costs, including recommendations for  
17 implementation, for ways that advanced nuclear deployment may add  
18 incremental value to the state energy strategy in pursuit of its  
19 policy and market goals.

20 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.21F  
21 RCW to read as follows:

22 (1) Contingent upon the receipt of funds consistent with  
23 subsection (5) of this section, the department must supplement the  
24 state energy strategy by developing and publishing a nuclear power  
25 strategic framework by December 15, 2026. The nuclear power strategic  
26 framework must:

27 (a) Identify state objectives for the development of new fission  
28 nuclear power generation, and key actions for specific government  
29 entities, joint operating agencies, utilities, and other stakeholders  
30 to ensure the inclusion of nuclear generation technologies in the  
31 achievement and implementation of the state objectives;

32 (b) Outline the processes, including financing, siting,  
33 permitting, any appropriate tribal consultation, workforce issues,  
34 and regulatory processes, anticipated to be navigated prior to new  
35 fission nuclear power sources being constructed and generating power  
36 in Washington;

37 (c) Assess both challenges and opportunities for the achievement  
38 of new fission nuclear power generation objectives;

1 (d) Consider how the state can facilitate new fission nuclear  
2 generation through strategic partnerships with nearby states,  
3 including by potentially reducing costs through economies of scale  
4 achieved via coordinated multistate actions;

5 (e) Include policy recommendations to support the implementation  
6 of the framework, including consideration of regulatory reforms, tax  
7 and financial supports, and education and workforce programs. In  
8 making policy recommendations under this subsection, the department  
9 must specifically consider, at a minimum:

10 (i) Whether expediting or curtailing state siting and permitting  
11 requirements could avoid redundancy with federal regulations and  
12 better reflect the urgency of the goals of chapters 70A.45 and 19.405  
13 RCW;

14 (ii) Whether and how, through state policies, to provide  
15 preference for, or expedited review of, the siting, construction, or  
16 operation of new fission nuclear generation at sites:

17 (A) Previously proposed and evaluated for nuclear projects,  
18 including within the geographic footprint of the Hanford site managed  
19 by the United States department of energy; and

20 (B) Previously used for coal or natural gas fired electrical  
21 generation;

22 (iii) In light of the broad potential public benefits of bringing  
23 new, clean sources of power to commercial fruition, mechanisms to  
24 ensure that the financial risks of projects are appropriately  
25 mitigated and do not present a prohibitive barrier to siting and  
26 building new fission nuclear power sources;

27 (iv) Avoiding or mitigating the land use impact of the state  
28 pursuing similar quantities of clean energy reliability and capacity  
29 through nonnuclear generating resources; and

30 (f) Identify the anticipated impacts of the successful  
31 development of new fission nuclear generation capacity in the state  
32 on:

33 (i) Overall economic well-being;

34 (ii) Workforce development, including in industries served by the  
35 expanded in-state electric generation capacity; and

36 (iii) The satisfaction of goals for the electric sector, such as  
37 reliability and affordability.

38 (2) The department must solicit guidance from members of the  
39 energy strategy advisory committee convened for purposes of the state

1 energy strategy due December 2020 under RCW 43.21F.090 in developing  
2 the nuclear power strategic framework under this section.

3 (3) The department must provide opportunities for public input on  
4 the draft nuclear power strategic framework prior to finalizing it  
5 including, but not limited to, making a draft of the framework  
6 available for comment.

7 (4) The department must integrate the nuclear power strategic  
8 framework developed under this section into the next review and  
9 update of the state energy strategy.

10 (5) Consistent with the department's authority under RCW  
11 43.330.040(2)(c), the department must seek gifts, grants, and other  
12 contributions from nonstate sources to carry out the purposes and  
13 provisions of this section. The requirement that the department  
14 proceed with the nuclear power strategic framework takes effect only  
15 upon the department's receipt of gifts, grants, or other  
16 contributions in an amount sufficient to cover the department's costs  
17 under this section, including all associated administrative costs or  
18 costs to contract for work in support of the requirements of this  
19 section.

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