



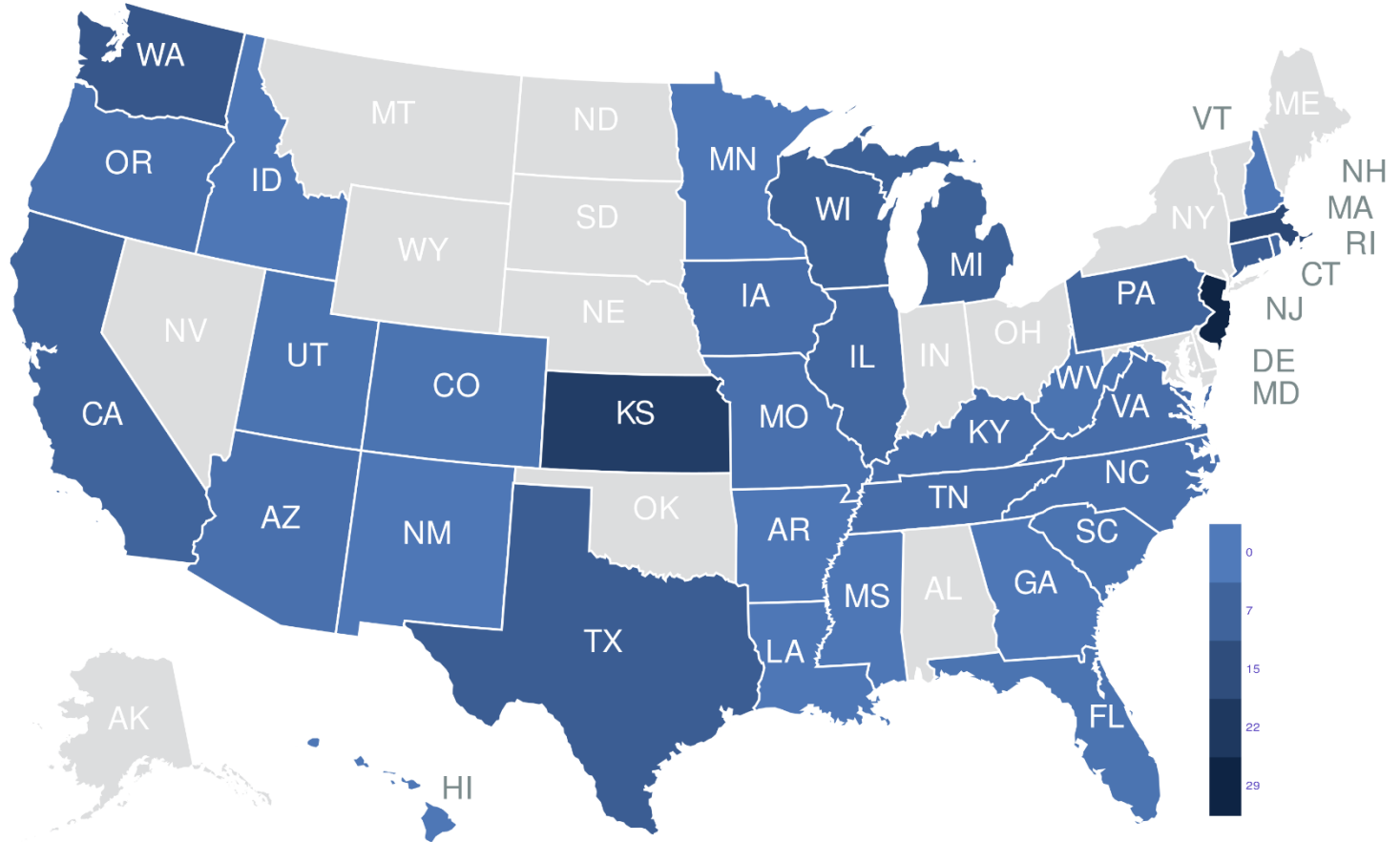
State Enacted Nuclear Fusion Legislation

**Current as of May 2026*

Executive Summary

Since 2020, more than 120 bills have been proposed across the country regarding nuclear fusion, including funding for research, regulatory reviews, and study committees. In the South, every state – except Alabama and Oklahoma – appears to have filed at least one measure during the past six years addressing this issue.

Figure 1. State Legislation on Nuclear Fusion (2020-2026)



However, only 28 bills – or 22 percent – have been enacted, including six measures in five states – Georgia, Kentucky, South Carolina, Virginia, and West Virginia – in the South.

Research Methods

Review of state statutes and legislation utilizing Quorum.

Findings and Analysis – CSG South Enacted Legislation



Georgia

Lawmakers enacted [Senate Resolution 482 \(2026\)](#) to establish the Senate Nuclear Power Study Committee in Georgia, tasked with examining the potential for advanced nuclear reactors (ANRs) to meet the state's growing energy needs. The resolution highlights the reliability and resilience of nuclear power compared to other energy sources, and emphasizes the economic and strategic benefits of positioning Georgia as a leader in advanced nuclear technology, including job creation, manufacturing, and international market opportunities.

The committee will consist of 14 members, including state legislators, representatives from Georgia Power, electrical membership corporations, the Public Service Commission, and the Municipal Electrical Authority of Georgia. The committee is authorized to study issues related to ANRs, recommend legislative or policy actions, and report its findings. Funding for the committee's activities will come from Senate-appropriated funds, with specific allowances for members as outlined in Georgia law. The committee is required to file any reports or recommendations before its abolishment date of December 1, 2026.

Kentucky

During the 2026 legislative session, a policy framework governing nuclear energy development, including nuclear fusion, was enacted. The measure, [Senate Bill 57 \(2026\)](#), establishes a comprehensive framework to promote nuclear energy development in Kentucky. It establishes the Kentucky Nuclear Energy Development Authority (KNEDA), attached to the University of Kentucky Center for Applied Energy Research, with a mission to serve as a nonregulatory agency that supports nuclear energy development, economic growth, environmental protection, community engagement, education, and workforce preparation. The Authority is governed by a diverse advisory board representing government, utilities, industry, environmental interests, and community leaders, and is tasked with providing annual training, strategic planning, and regular reporting to state leadership.

A key feature of the act is the creation of the Nuclear Reactor Site Readiness Pilot Program, which facilitates the siting of new nuclear energy generating facilities by providing grant funding to eligible applicants—utilities, affiliates, or their partners—covering up to one-third of the costs (not exceeding \$25 million per project) associated with applying for and procuring federal permits and licenses for nuclear facilities. To qualify, applicants must demonstrate community engagement and economic benefits, and the community must receive a 'nuclear-ready' designation. The program includes strict requirements for surety bonds to secure grant funds, and mandates repayment if project milestones—such as permit applications and construction commencement—are not met within specified timelines (one year for initial permit application, five years for construction permit/license application, and ten years for construction start, with possible one-year extensions for good cause).

The act also amends Kentucky's economic development laws to explicitly include nuclear energy ecosystem development—including facility siting and development—as an eligible activity for state incentives, expanding the definition of 'eligible company' and 'eligible costs' to encompass nuclear projects. Additionally, it authorizes the Public Service Commission to allow regulated utilities to recover certain costs related to nuclear facility permitting and licensing, provided these are not already offset by state grants.

Further, the legislation enhances the Nuclear Energy Development Grant Program, broadening its scope to support both nuclear fission and fusion projects across the entire nuclear energy ecosystem, from fuel-cycle activities to facility operations, decommissioning, and end-use applications. The grant program is administered by a subcommittee of the Authority, with individual grants capped at \$2 million, and uses objective criteria to prioritize projects likely to spur further investment and economic impact, especially in communities designated as nuclear-ready.



South Carolina

The Palmetto State embraced nuclear energy policies during the 2025 session via the enactment of [House Bill 3309 \(2025\)](#). Among other items, the measure overhauls the state's energy policy, regulatory framework, and utility oversight, amending numerous sections of the South Carolina Code, expanding the authority and responsibilities of the Public Service Commission (PSC), the Office of Regulatory Staff (ORS), and other state agencies.

Key provisions include the creation of new planning and reporting requirements for utilities, such as integrated resource plans (IRPs) that must consider a wide range of energy sources, including advanced nuclear, fusion, hydrogen, and biomass, as well as demand-side management and energy efficiency programs. It also establishes a competitive procurement process for renewable energy and energy storage, mandates biennial solicitations, and sets targets aligned with utilities' integrated resource plans. Its language also introduces new standards for the siting and permitting of energy infrastructure, including expedited review timelines and a preference for brownfield and existing energy corridors to minimize environmental and community impacts.

Importantly, the bill encourages the development of advanced nuclear and fusion energy, supports the conversion of coal plants to biomass, and strengthens the Governor's Nuclear Advisory Council's role. It revises the process for utility rate adjustments, allowing for more frequent and formulaic rate stabilization mechanisms, and provides for enhanced public participation and transparency in regulatory proceedings. It also introduces new economic development rates and programs to attract and retain large commercial and industrial customers, with special provisions for 'transformational' customers making significant investments and job creation. Funding mechanisms are established for the ORS to carry out new duties, and require studies on the administration of energy efficiency programs.

Virginia

The General Assembly passed two complementary measures – [House Bill 1779 \(2025\)](#) and [Senate Bill 1338 \(2025\)](#) – which establish a definition for 'fusion energy.' Specifically, this legislative change pertains to the definitions of 'carbon-free energy' or 'clean energy.' It expands the definition to include electric energy generated from sources that do not emit carbon dioxide during generation.

More particularly, it includes energy from sunlight, wind, falling water, wave motion, tides, geothermal, fusion energy, and nuclear energy. Additionally, a new definition of 'fusion energy' is introduced, describing it as energy generated by the fusion of atomic nuclei.

West Virginia

[House Bill 5381 \(2026\)](#) centralizes energy policy development under the West Virginia Office of Energy, transferring the Office of Coalfield Community Development into it as a program and eliminating its annual reporting and sunset provisions. The bill repeals outdated statutes, including the Coal-Fired Grid Stabilization Act of 2023, and merges relevant elements into the new Comprehensive Grid Stabilization and Energy Security Act of 2026.

The Office of Energy is tasked with developing a comprehensive, long-term energy policy and five-year development plans that prioritize a diverse mix of energy sources—coal, natural gas, nuclear, fusion, hydropower, hydrogen, and geothermal—emphasizing reliability, efficiency, innovation, low cost, and energy security. The policy aims to increase the state's baseload generating capacity from 16 to 50 gigawatts by 2050 and position West Virginia as a national leader in electricity generation and export.

The Office is also empowered to hold stakeholder meetings, propose rules, and coordinate with other agencies to streamline regulatory processes and support the growth of the Marcellus gas and natural gas liquids industries. The legislation introduces new requirements for identifying and designating suitable sites for energy generation projects, establishing criteria for 'energy-ready' community designations, and developing a State Energy Security Plan with regular



reporting and biennial energy emergency exercises involving key state and federal agencies. Confidentiality provisions are included for sensitive planning and emergency information. The bill sets specific deadlines, such as submitting the comprehensive energy policy by December 1, 2026, and conducting the first energy emergency exercise by July 1, 2027, with subsequent five-year and biennial updates.

Findings and Analysis – Notable Enacted Legislation from Outside the South

[Connecticut House Bill 7170 \(2025\)](#) amends the state's energy and environmental regulatory policies. Specifically, amending the authority of the Department of Energy and Environmental Protection (DEEP) commissioner, expanding the types of infrastructure projects the department can undertake, and increasing the expenditure thresholds for certain repairs and alterations from \$500,000 to \$1 million, with annual adjustments based on the Producer Price Index starting July 1, 2028. It clarifies and updates definitions of radioactive materials, including adding 'fusion machine' and related terms, and aligns state law with federal standards.

[Washington House Bill 1018 \(2025\)](#) updates several sections of state code to include fusion energy facilities in the list of energy facilities eligible for site certification. The bill emphasizes the state's commitment to reducing dependence on singular forms of energy and prioritizes the diversification of the state's energy generation portfolio. It grants the Energy Facility Site Evaluation Council (EFSEC) additional authority to oversee the siting of clean energy product manufacturing facilities and fusion energy facilities, provided they secure necessary radiation control licenses from state or federal agencies. The bill also defines various energy-related terms, including 'alternative energy resource,' 'clean energy product manufacturing facility,' and 'fusion energy facility.' It mandates consultation with local governments and federally recognized tribes during the siting process to ensure meaningful participation and input. Additionally, the bill provides a framework for transferring site restoration responsibilities for unfinished fission nuclear power projects to political subdivisions of the state, including provisions for water rights transfers to support site restoration and economic development.

[Wisconsin Assembly Bill 657 \(2026\)](#) establishes a sales and use tax exemption for tangible personal property and certain property used exclusively and directly in nuclear fusion technology projects within the state. The exemption applies to property used solely at the project location, including items purchased by construction contractors for incorporation into such projects. The act defines 'nuclear fusion technology project' broadly to encompass activities related to controlled fusion of atomic nuclei, such as energy generation, propulsion systems, materials research, medical isotope production, neutron sources, plasma physics research, and other fusion-related applications. This exemption is set to expire on December 31, 2076. The act becomes effective on the first day of the third month following its publication date.



SOUTH

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