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136th General Assembly
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2025-2026

Sub. S. B. No. 294

To enact section 4906.011 of the Revised Code to
declare the state's energy siting policy.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 4906.011 of the Revised Code be
enacted to read as follows:

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Sec. 4906.011. (A) As used in this section:

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(1) "Affordable energy source" means an energy resource
that meets all of the following criteria:

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(a) Has a stable and predictable cost;

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(b) Provides a cost-effective means of heating, cooling,
and generating electricity;

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(c) Delivers substantial savings related to residential
and commercial customers comparable to energy sources listed in
42 U.S.C. 15852(b), based on the average cost per unit of energy
output calculated to include any direct or indirect payment by
any level of government for the previous five years.

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(2) "Advanced nuclear energy technology" means generation
III technology as defined by the nuclear regulatory commission;

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other, later technology; or significant improvements to existing 18
facilities. 19

(3) "Reliable energy source" means an energy resource that 20
meets both of the following criteria: 21

(a) Is readily available at all times to meet energy 22
demands with minimal interruptions during high-usage periods; 23

(b) When used for power generation, the resource 24
demonstrates all of the following: 25

(i) A site-combined minimum capacity factor of fifty per 26
cent; 27

(ii) Electricity output that is capable of being 28
dispatchable at all times in times of need and with the 29
capability to ramp up or down electricity generation within one 30
hour to stabilize the electrical grid; 31

(iii) The ability to complement and provide backup to 32
renewable energy resources during periods of low availability. 33

(4) (a) "Clean energy source" means any energy generated by 34
utilizing those sources listed in 42 U.S.C. 15852(b) or 35
hydrocarbons, which, when combusted for the purpose of 36
electricity generation, meet the national ambient air quality 37
standards set by the United States environmental protection 38
agency under the authority of the "Clean Air Act," 42 U.S.C. 39
7401 et seq. 40

(b) "Clean energy source" includes: 41

(i) Energy generated by nuclear reaction; 42

(ii) Energy generated using natural gas. 43

(5) "Domestic production" means a fuel source that is 44

primarily produced within the United States. 45

(6) "Infrastructure security" means primary infrastructure 46
necessary to deliver energy to customers that minimizes reliance 47
on foreign nations for critical materials or manufacturing. 48

(7) "Foreign adversary nation" means any country specified 49
in 10 U.S.C. 4872(f) (2). 50

(B) It is declared to be the public policy of the state, 51
in order to ensure affordable, reliable, and clean energy 52
security within the state, pursuant to any application for 53
certification under section 4906.06 of the Revised Code, that 54
the state: 55

(1) Employ affordable, reliable, and clean energy sources; 56

(2) Ensure that the state prioritizes domestic production; 57

(3) Minimize reliance on foreign adversary nations or 58
those subject to the provisions of 19 U.S.C. 1307 for critical 59
materials or manufacturing; 60

(4) Ensure the use of Ohioan- and American-built 61
infrastructure and components necessary to deliver energy to 62
Ohio customers. 63

(C) This section shall not be interpreted to alter the 64
criteria and timelines for approval of applications or 65
amendments submitted to the Ohio power siting board under 66
Chapter 4906. of the Revised Code as amended by H.B. 15 of the 67
136th general assembly. 68