

Senate File 2498

S-5225

1 Amend Senate File 2498 as follows:

2 1. By striking everything after the enacting clause and  
3 inserting:

4 <Section 1. Section 423.3, Code 2026, is amended by adding  
5 the following new subsection:

6 NEW SUBSECTION. 111. a. (1) The sales price of tangible  
7 personal property or specified digital products sold to or of  
8 services furnished to a nuclear electric generation facility on  
9 or after January 1, 2026.

10 (2) The tangible personal property, specified digital  
11 products, and services furnished shall be directly and  
12 primarily used before, during, or after the site preparation,  
13 construction, reconstruction, replacement, alteration, repair,  
14 safe storage, maintenance, or restarting after decommissioning  
15 of the nuclear electric generation facility.

16 b. The exemption under this section does not apply to motor  
17 vehicles subject to registration under chapter 321.

18 c. This subsection shall not be construed to limit any other  
19 exemptions applicable under this chapter.

20 d. The department shall issue guidance within ninety  
21 days of the effective date of this Act regarding acceptable  
22 documentation for exemption qualification and exemption  
23 certificate procedures.

24 e. The department may adopt rules pursuant to chapter 17A  
25 to administer this subsection.

26 f. A nuclear electric generation facility that does not  
27 commence or restart commercial operation within twelve and  
28 one-half years of the later of the issuance of the certificate  
29 of public convenience, use, and necessity under chapter 476A  
30 for the applicable unit of the facility or the placement  
31 of the first safety-related concrete for such unit shall  
32 repay the entire amount of the sales and use tax exemptions  
33 the nuclear electric generation facility claimed under this  
34 subsection and refunds claimed under section 423.4, subsection  
35 1, and the entire amount of sales and use tax exemptions that

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(amending this SF 2498 to CONFORM to HF 2757)

1 contractors, subcontractors, and builders claimed for building  
2 materials, supplies, equipment, and services in the performance  
3 of a written construction contract with the nuclear electric  
4 generation facility under subsection 80. Any repayment shall  
5 be considered a tax payment due and payable to the department  
6 by the nuclear electric generation facility, and the failure to  
7 make the repayment may be treated by the department in the same  
8 manner as a failure to pay the tax shown due, or required to be  
9 shown due, with the filing of a return or deposit form.

10 *g.* (1) A nuclear electric generation facility is eligible  
11 to receive an exemption under this subsection until the earlier  
12 of one year from the date of delivering notification to the  
13 applicable regional transmission operators that commercial  
14 operation has been achieved or June 30, 2051.

15 (2) Within thirty days of delivering notification in  
16 subparagraph (1), the nuclear electric generation facility  
17 shall notify the department of the date notification was  
18 delivered under subparagraph (1) in a manner prescribed by the  
19 director.

20 *h.* As used in this subsection:

21 (1) "*Nuclear electric generation facility*" means a facility  
22 commencing or restarting commercial operations of at least  
23 one unit of the facility on or after January 1, 2028, that is  
24 located in this state, uses nuclear fission, fusion, or other  
25 nuclear processes to generate electricity for sale or for use  
26 in the transmission or distribution grid and is licensed by  
27 the federal nuclear regulatory commission. A "*nuclear electric*  
28 *generation facility*" includes facilities undergoing restart  
29 after a decommissioning period and facilities in advanced  
30 stages of development or obtaining federal licensing from  
31 the United States nuclear regulatory commission. A "*nuclear*  
32 *electric generation facility*" includes all of the following:

33 (a) Nuclear reactors, reactor fuel cores, reactor vessels,  
34 steam generators, heat exchangers, turbine systems, control  
35 rods, instrumentation, cooling systems, fuel handling and

1 storage systems, radiation shielding, radiation sources and  
2 other primary nuclear generation components, and spent fuel  
3 storage.

4 (b) Structures and buildings housing nuclear generation  
5 systems, including containment buildings, auxiliary buildings,  
6 cooling towers, water intake or discharge structures, and  
7 on-site storage facilities directly related to nuclear  
8 operations.

9 (c) Electrical generation and transformation equipment,  
10 including turbines, generators, switchgear, transformers,  
11 inverters, transmission structures, conductors, substations,  
12 and associated power conditioning and control equipment.

13 (d) Equipment and systems used for safety, security,  
14 radiation monitoring, emergency power, operator training,  
15 maintenance training, safety-related equipment storage, and  
16 warehousing.

17 (e) Environmental protection required for operation of the  
18 facility.

19 (f) System materials, components, equipment, storage,  
20 structures, and buildings associated with integrated systems  
21 that enhance the flexibility of the system in delivering energy  
22 to the electrical grid, including but not limited to the  
23 following:

24 (i) Systems that store and utilize thermal energy or  
25 electrical energy from the nuclear electric generating facility  
26 prior to delivering energy to the grid.

27 (ii) Energy storage systems that utilize a transmission  
28 system interconnection to the same physical substation as the  
29 nuclear electric generating facility.

30 (g) Materials, supplies, and components permanently  
31 incorporated into or consumed in the construction, repair, or  
32 maintenance of a nuclear electric generation facility.

33 (h) Digital control systems, software, cybersecurity,  
34 infrastructure, and physical security systems and equipment  
35 used in the safe and compliant operation of the nuclear

1 electric generation facility.

2 (i) Equipment, materials, systems, and services required to  
3 restart operations at a previously operational nuclear electric  
4 generation facility that has ceased commercial operation,  
5 including but not limited to refurbishment, modernization,  
6 regulatory compliance upgrades, and relicensing activities.

7 (2) "*Site preparation activities*" means the same as defined  
8 in subsection 95, paragraph "f".

9 *i.* This subsection is repealed on July 1, 2051.

10 Sec. 2. Section 423.4, subsection 1, paragraph a, Code 2026,  
11 is amended by adding the following new subparagraph:

12 NEW SUBPARAGRAPH. (11) A nuclear electric generation  
13 facility as defined in section 423.3, subsection 111.

14 Sec. 3. RETROACTIVE APPLICABILITY. This Act applies  
15 retroactively to January 1, 2026, for qualifying tangible  
16 personal property or specified digital products sold, or  
17 services furnished on or after that date.>

18 2. Title page, by striking lines 1 through 5 and inserting  
19 <An Act creating sales and use tax exemptions and refunds  
20 relating to commencing or restarting nuclear electric  
21 generation facilities, and including retroactive applicability  
22 provisions.>

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DAN DAWSON