

As Introduced

**136th General Assembly
Regular Session
2025-2026**

H. B. No. 736

**Representative Lorenz
Cosponsors: Representatives Fischer, Brennan**

To amend section 4928.73 and to enact section 122.1714 of the Revised Code to create a regulatory, economic, and energy market framework for fusion energy and to name this act the Ohio Fusion Energy Advancement Act.

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

Section 1. That section 4928.73 be amended and section 122.1714 of the Revised Code be enacted to read as follows:

Sec. 122.1714. (A) Not later than one year after the effective date of this section, the director of development shall convene the Ohio fusion energy working group.

(B) The working group shall do all of the following:

(1) Identify regulatory gaps related to the licensing or certification of fusion energy and supply chain facilities in this state;

(2) Evaluate fusion workforce and supply chain needs;

(3) Recommend fusion economic development strategies.

(C) (1) The working group shall be composed of representatives from all of the following:

<u>(a) The department of development;</u>	19
<u>(b) The environmental protection agency;</u>	20
<u>(c) The public utilities commission;</u>	21
<u>(d) The department of health;</u>	22
<u>(e) The bureau of environmental health and radiation</u> <u>protection;</u>	23 24
<u>(f) The Ohio national guard;</u>	25
<u>(g) The Ohio state university;</u>	26
<u>(h) One university in this state that has received a</u> <u>research activity designation from the Carnegie commission on</u> <u>higher education;</u>	27 28 29
<u>(i) Two representatives from the fusion energy industry;</u>	30
<u>(j) One representative from the electric utility sector.</u>	31
<u>(2) All members of the working group shall be appointed by</u> <u>the governor.</u>	32 33
<u>(D) Seven members of the working group constitute a quorum</u> <u>for conducting business.</u>	34 35
<u>(E) The working group, by a majority vote of a quorum of</u> <u>its members, shall select an individual to serve as its</u> <u>chairperson. The working group may replace the chairperson in</u> <u>the same manner.</u>	36 37 38 39
<u>(F) The working group shall hold its first meeting at the</u> <u>call of the director of development. Subsequent meetings shall</u> <u>be at the call of the chairperson.</u>	40 41 42
<u>(G) The department of development shall provide</u> <u>administrative support for the working group.</u>	43 44

(H) Not later than one year after the working group's 45
initial meeting, and, annually thereafter, the working group 46
shall submit a report of its findings in writing to the speaker 47
and minority leader of the house of representatives and the 48
president and minority leader of the senate. 49

(I) (1) Five years after the submission of the working 50
group's initial report, the working group shall reconvene for 51
the purpose of identifying regulatory changes necessary to 52
support the further development and maintenance of fusion energy 53
and related supply chains in this state. 54

(2) (a) Not later than one year after the reconvening of 55
the working group, the working group shall compile a list of 56
recommended legislative changes and submit this list in writing 57
to the speaker and minority leader of the house of 58
representatives and the president and minority leader of the 59
senate. 60

(b) Upon submission of the list required under division 61
(I) (2) (a) of this section, the working group is abolished. 62

Sec. 4928.73. (A) As used in this section: 63

(1) "Fusion energy system" means any device, facility, or 64
apparatus that produces energy through the controlled fusion of 65
atomic nuclei, including through magnetic, confinement, inertial 66
confinement, magneto-inertial, electrostatic confinement, or 67
beam-target systems. 68

(2) "Mercantile customer member" means a mercantile 69
customer connected to a mercantile customer self-power system. 70

~~(2)~~(3) "Mercantile customer self-power system" means one 71
or more electric generation facilities, including a fusion 72
energy system, electric storage facilities, or both, along with 73

any associated facilities, that meet all of the following:	74
(a) Produce electricity primarily for the consumption of a mercantile customer member or a group of mercantile customer members;	75 76 77
(b) Connect directly to the mercantile customer member's side of the electric meter;	78 79
(c) Deliver electricity to the mercantile customer member's side of the electric meter without the use of an electric distribution utility's or electric cooperative's distribution system or transmission system;	80 81 82 83
(d) Is located on either of the following:	84
(i) A property owned or controlled by a mercantile customer member or the entity that owns or operates the mercantile customer self-power system;	85 86 87
(ii) Land adjacent to a mercantile customer member if the facilities connect directly with the customer.	88 89
(B) The mercantile customer self-power system may be owned or operated by a mercantile customer member, group of mercantile customer members, or an entity that is not a mercantile customer member.	90 91 92 93
(C) A mercantile customer self-power system may provide electric generation service to one or more mercantile customers.	94 95
(D) The public utilities commission shall adopt rules to implement this section that are applicable to electric distribution utilities.	96 97 98
(E) Nothing in this section prohibits an electric distribution utility or an electric cooperative from charging a	99 100

mercantile customer for distribution or transmission service	101
used by a mercantile customer.	102
Section 2. That existing section 4928.73 of the Revised Code is hereby repealed.	103 104
Section 3. Within six months after the effective date of this section, the Department of Development shall review all state programs supporting clean energy generation in this state to identify incentive opportunities that may benefit fusion facilities or manufacturers, such as sales tax exemptions on fusion research and development equipment, tangible personal property tax reductions or exemptions on fusion equipment, or workforce development grants, and issue a report detailing the Department's findings to the General Assembly in accordance with division (B) of section 101.68 of the Revised Code.	105 106 107 108 109 110 111 112 113 114
Section 4. This act shall be known as the Ohio Fusion Energy Advancement Act.	115 116