

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Eminent domain energy collector systems amendments.

Sponsored by: Joint Agriculture, State and Public Lands &
Water Resources Interim Committee

A BILL

for

1 AN ACT relating to eminent domain; removing the ability of
2 entities who are not public utilities to use the right of
3 condemnation for electric generation collector systems; and
4 providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 1-26-815(d) is amended to read:

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10 **1-26-815. Right of eminent domain granted; ways of**
11 **necessity for authorized businesses; purposes; extent.**

12

1 (d) No person ~~qualified to exercise the condemnation~~
2 ~~authority granted by this section,~~ except a public utility
3 that has been granted a certificate of public convenience
4 and necessity pursuant to W.S. 37-2-205, shall exercise the
5 condemnation authority granted by this section for the
6 erection, placement or expansion of collector systems
7 associated with commercial facilities generating
8 electricity. ~~from wind. The prohibition imposed by this~~
9 ~~subsection shall be effective immediately and shall end~~
10 ~~June 30, 2015 or upon the effective date of legislation~~
11 ~~establishing additional conditions for the use of~~
12 ~~condemnation authority for the erection, placement or~~
13 ~~expansion of collector systems associated with commercial~~
14 ~~facilities generating electricity from wind, whichever~~
15 ~~occurs earlier.~~ As used in this subsection, "collector
16 systems associated with commercial facilities generating
17 electricity ~~from wind~~" means the conductor infrastructure,
18 including conductors, towers, substations, switchgear and
19 other components necessary to deliver power from any
20 commercial facility generating electricity ~~from wind~~ up to
21 but not including electric substations or interconnections
22 facilities associated with existing or proposed
23 transmission lines that serve load or that export energy

1 from Wyoming. A commercial facility generating electricity
2 shall not use an existing easement to place additional
3 collector systems associated with a commercial facility
4 generating electricity.

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6 **Section 2.** This act applies to eminent domain actions
7 initiated on or after the effective date of this act.

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9 **Section 3.** This act is effective July 1, 2024.

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11

(END)