

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1757

5 By: Representative Hutchison
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For An Act To Be Entitled

9 AN ACT TO REGULATE ELECTRIC UTILITIES AND THE EMINENT
10 DOMAIN AUTHORITY OF ELECTRIC UTILITIES; AND FOR OTHER
11 PURPOSES.
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Subtitle

14 TO REGULATE ELECTRIC UTILITIES AND THE
15 EMINENT DOMAIN AUTHORITY OF ELECTRIC
16 UTILITIES.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 18-15-502 is amended to read as follows:
23 18-15-502. Exception.

24 (a) No action to condemn the right-of-way over, upon, or along any
25 street or alley in any city or incorporated town shall be instituted or
26 maintained by an electric utility as against any city or incorporated town.

27 (b) An electric utility shall not exercise the power of eminent domain
28 granted by this subchapter for a project of an electric utility unless at
29 least twenty-five percent (25%) of the energy generated by the project is
30 consumed within the State of Arkansas.
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32 SECTION 2. Arkansas Code § 18-15-503, concerning powers of electric
33 utilities, is amended to add an additional subsection to read as follows:

34 (d) The powers granted by this section shall not be exercised for a
35 project of an electric utility unless at least twenty-five percent (25%) of
36 the energy generated by the project is consumed within the State of Arkansas.



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SECTION 3. Arkansas Code § 18-15-507, concerning damages for an electric utility's condemnation of land or right-of-way, is amended to add an additional subsection to read as follows:

(d) An award of damages under this section shall include an annual payment for the loss of the value of crops to land that is used for agricultural purposes.