

**SENATE BILL NO. 2212**

Introduced by

Senator Magrum

Representative Prichard

1 A BILL for an Act to amend and reenact subsection 10 of section 32-15-02 and section 49-19-12  
2 of the North Dakota Century Code, relating to eminent domain and carbon dioxide pipelines;  
3 and to declare an emergency.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 10 of section 32-15-02 of the North Dakota  
6 Century Code is amended and reenacted as follows:

7 10. Oil, gas, and coal, ~~and carbon dioxide~~ pipelines and works and plants for supplying or  
8 conducting gas, oil, coal, ~~carbon dioxide~~, heat, refrigeration, or power for the use of  
9 any county, city, or the inhabitants thereof, together with lands, buildings, and all other  
10 improvements in or upon which to erect, install, place, maintain, use, or operate  
11 pumps, stations, tanks, and other machinery or apparatus, and buildings, works, and  
12 plants for the purpose of generating, refining, regulating, compressing, transmitting, or  
13 distributing the same, or necessary for the proper development and control of such  
14 gas, oil, coal, ~~carbon dioxide~~, heat, refrigeration, or power, either at the time of the  
15 taking of said property or for the future proper development and control thereof.

16 **SECTION 2. AMENDMENT.** Section 49-19-12 of the North Dakota Century Code is  
17 amended and reenacted as follows:

18 **49-19-12. When pipeline carrier may exercise right of eminent domain.**

19 ~~Every~~Except for carbon dioxide carriers, every common pipeline carrier which shall have  
20 filed with the commission its acceptance of the provisions of this chapter has, subject to chapter  
21 32-15, the right and power of eminent domain in the exercise of which it may enter upon and  
22 condemn the land, right of way, easements, and property of any person necessary for the  
23 construction, maintenance, or authorization of its pipeline. The manner and method of such  
24 condemnation, and the assessment and payment of the damages therefor are the same as is

1 provided by law in the case of railroads. The right of eminent domain and the right to use public  
2 lands, highways, or roads for right of way for pipelines shall be acquired only by compliance  
3 with the provisions of this chapter.

4 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.