
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 442 Session of
2019

INTRODUCED BY DINNIMAN, FOLMER, MUTH, KILLION, SCHWANK AND
KEARNEY, APRIL 8, 2019

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, APRIL 8, 2019

AN ACT

1 Amending Title 15 (Corporations and Unincorporated Associations)
2 of the Pennsylvania Consolidated Statutes, in corporate
3 powers, duties and safeguards, further providing for
4 additional powers of certain public utility corporations.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 1511(a) introductory paragraph of Title
8 15 of the Pennsylvania Consolidated Statutes is amended and the
9 section is amended by adding a subsection to read:

10 § 1511. Additional powers of certain public utility
11 corporations.

12 (a) General rule.--[A] Except as provided in subsection (h),
13 a public utility corporation shall, in addition to any other
14 power of eminent domain conferred by any other statute, have the
15 right to take, occupy and condemn property for one or more of
16 the following principal purposes and ancillary purposes
17 reasonably necessary or appropriate for the accomplishment of
18 the principal purposes:

19 * * *

1 (h) Moratorium on hazardous liquids pipelines.--

2 (1) Notwithstanding any provision of this title or other
3 law to the contrary, beginning on the effective date of this
4 subsection and until May 31, 2021, no public utility
5 corporation owning or operating equipment or facilities
6 engaged in the transmission of hazardous liquids, by pipeline
7 or conduit, in this Commonwealth may exercise the powers
8 conferred by subsection (a) or any other power of eminent
9 domain conferred by any other statute.

10 (2) The temporary moratorium on the exercise of eminent
11 domain in paragraph (1) does not apply to any of the
12 following activities:

13 (i) maintaining or replacing existing equipment or
14 facilities in place; or

15 (ii) relocating temporary work space for repairs of
16 existing equipment or facilities.

17 (3) For purposes of this subsection, the following words
18 and phrases shall have the meanings given to them in this
19 paragraph unless the context clearly indicates otherwise:

20 "Existing equipment or facilities." Equipment or
21 facilities of a public utility corporation engaged in the
22 transmission of hazardous liquids constructed and in use
23 prior to the effective date of this subsection.

24 "Hazardous liquid." As defined in 49 CFR 195.2 (relating
25 to definitions).

26 "Transmission." The transportation, other than gathering
27 of hazardous liquids through a pipeline as that term is
28 defined in 49 CFR 195.2.

29 Section 2. This act shall take effect in 60 days.