

HOUSE BILL NO. HB0285

Eminent domain wind energy collector systems.

Sponsored by: Representative(s) Henderson

A BILL

for

1 AN ACT relating to eminent domain; reimposing the moratorium
 2 on the exercise of the power of condemnation for wind energy
 3 collector systems for a period of time; specifying
 4 applicability; and providing for an effective date.

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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

13 (d) No person qualified to exercise the condemnation
 14 authority granted by this section, except a public utility
 15 that has been granted a certificate of public convenience and
 16 necessity pursuant to W.S. 37-2-205, shall exercise the

1 authority for the erection, placement or expansion of
2 collector systems associated with commercial facilities
3 generating electricity from wind. The prohibition imposed by
4 this subsection shall be effective immediately and shall end
5 June 30, ~~2015~~2023, or upon the effective date of legislation
6 establishing additional conditions for the use of
7 condemnation authority for the erection, placement or
8 expansion of collector systems associated with commercial
9 facilities generating electricity from wind, whichever occurs
10 earlier. As used in this subsection, "collector systems
11 associated with commercial facilities generating electricity
12 from wind" means the conductor infrastructure, including
13 conductors, towers, substations, switchgear and other
14 components necessary to deliver power from any commercial
15 facility generating electricity from wind up to but not
16 including electric substations or interconnections facilities
17 associated with existing or proposed transmission lines that
18 serve load or that export energy from Wyoming.

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20 **Section 2.** The moratorium imposed by this act shall not
21 apply to prohibit the exercise of condemnation authority
22 granted under W.S. 1-26-815(d) if an action to condemn the
23 property was filed in court and the initial funds required by

1 W.S. 1-26-513(a) were deposited prior to the effective date
2 of this act.

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4 **Section 3.** This act is effective immediately upon
5 completion of all acts necessary for a bill to become law as
6 provided by Article 4, Section 8 of the Wyoming Constitution.

7

8

(END)