

SENATE FILE NO. SF0013

Eminent domain-wind energy collector systems.

Sponsored by: Senator(s) Case and Representative(s) Greear
and Lindholm

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 by creating a new subsection
9 (e) is amended to read:

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

13

14 (e) No person qualified to exercise the condemnation
15 authority granted by this section, except a public utility

1 that has been granted a certificate of public convenience and
2 necessity pursuant to W.S. 37-2-205, shall exercise the
3 authority for the erection, placement or expansion of
4 collector systems associated with commercial facilities
5 generating electricity from wind. The prohibition imposed by
6 this subsection shall be effective immediately and shall end
7 June 30, 2023, or upon the effective date of legislation
8 establishing additional conditions for the use of
9 condemnation authority for the erection, placement or
10 expansion of collector systems associated with commercial
11 facilities generating electricity from wind, whichever occurs
12 earlier. As used in this subsection, "collector systems
13 associated with commercial facilities generating electricity
14 from wind" means the conductor infrastructure, including
15 conductors, towers, substations, switchgear and other
16 components necessary to deliver power from any commercial
17 facility generating electricity from wind up to but not
18 including electric substations or interconnections facilities
19 associated with existing or proposed transmission lines that
20 serve load or that export energy from Wyoming.

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22 **Section 2.** W.S. 1-26-815(d) is repealed.

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1 **Section 3.** The moratorium imposed by this act shall not
2 prohibit the exercise of condemnation authority granted under
3 W.S. 1-26-815(e) if an action to condemn the property was
4 filed in court and the initial funds required by W.S.
5 1-26-513(a) were deposited prior to the effective date of
6 this act.

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

11

12

(END)