

SENATE FILE NO. SF0047

Eminent domain-wind energy collector systems.

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

A BILL

for

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

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 1-26-815(d) 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.**

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

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

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

12

13

(END)