

SENATE FILE NO. SF0062

Eminent domain for electric distribution.

Sponsored by: Senator(s) Case and Representative(s) Ross

A BILL

for

1 AN ACT relating to eminent domain; clarifying that the
2 right of eminent domain may be exercised for electric
3 distribution systems; and providing for an effective date.

4

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

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7 **Section 1.** W.S. 1-26-815(a) and (c) is amended to
8 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 (a) Any person, association, company or corporation
14 authorized to do business in this state may appropriate by
15 condemnation a way of necessity over, across or on so much
16 of the lands or real property of others as necessary for
17 the location, construction, maintenance and use of

1 reservoirs, drains, flumes, ditches including return flow
2 and wastewater ditches, underground water pipelines,
3 pumping stations and other necessary appurtenances, canals,
4 electric power transmission lines and distribution systems,
5 railroad trackage, sidings, spur tracks, tramways, roads or
6 mine truck haul roads required in the course of their
7 business for agricultural, mining, exploration drilling and
8 production of oil and gas, milling, electric power
9 transmission and distribution, domestic, municipal or
10 sanitary purposes, or for the transportation of coal from
11 any coal mine or railroad line or for the transportation of
12 oil and gas from any well.

13

14 (c) A way of necessity acquired hereunder shall not
15 exceed one hundred (100) feet in width on each side of the
16 outer sides or marginal lines of the reservoir, drain,
17 ditch, underground water pipeline, canal, flume, power
18 transmission line or distribution system, railroad
19 trackage, siding or tramway unless a greater width is
20 necessary for excavation, embankment or deposit of waste
21 from excavation. In no case may the area appropriated
22 exceed that actually necessary for the purpose of use for
23 which a way of necessity is authorized.

24

1 **Section 2.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

5

6

(END)