

HOUSE BILL NO. HB0040

Eminent domain-wind energy collector systems.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to eminent domain; extending the moratorium
2 on the exercise of the power of condemnation for wind
3 energy collector systems; and providing for an effective
4 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
16 and necessity pursuant to W.S. 37-2-205, shall exercise the
17 authority for the erection, placement or expansion of

1 collector systems associated with commercial facilities
2 generating electricity from wind. The prohibition imposed
3 by this subsection shall be effective immediately and shall
4 end June 30, ~~2013~~2015 or upon the effective date of
5 legislation establishing additional conditions for the use
6 of condemnation authority for the erection, placement or
7 expansion of collector systems associated with commercial
8 facilities generating electricity from wind, whichever
9 occurs earlier. As used in this subsection, "collector
10 systems associated with commercial facilities generating
11 electricity from wind" means the conductor infrastructure,
12 including conductors, towers, substations, switchgear and
13 other components necessary to deliver power from any
14 commercial facility generating electricity from wind up to
15 but not including electric substations or interconnections
16 facilities associated with existing or proposed
17 transmission lines that serve load or that export energy
18 from Wyoming.

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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.

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(END)