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 DIGEST

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SB 108 Engrossed

2024 Regular Session

Seabaugh

Present law provides expropriating authority to the state and its political subdivisions, and certain corporations, limited liability companies, or other legal entities.

Present law authorizes domestic and foreign corporations, limited liability companies, or other legal entities created for the purpose of generating, transmitting, and distributing electricity and steam for power, lighting, heating, or other such uses to expropriate needed property.

Proposed law requires domestic and foreign corporations, limited liability companies, or other legal entities created for the purpose of generating, transmitting, and distributing electricity and steam for power, lighting, heating, or other such uses be subject to certain qualifications provided by proposed law in order to expropriate property.

Proposed law provides that property may be expropriated exclusively by an electric public utility as defined in R.S. 45:121 or an affiliated entity for either of the following purposes:

- (1) A transmission or generation project that is approved and included in a multi-state regional transmission organization or independent system operator's transmission expansion plan or identified by such regional transmission organization or independent system operator as necessary for the reliability of the electric system or necessary for the interconnection of a generator.
- (2) Generating plants, buildings, transmission lines, stations or substations, or other associated facilities if a majority of the electricity or steam power to be generated, transmitted, or distributed in connection with the facilities will be delivered to end-users within Louisiana.

Proposed law also provides that the terms "Regional Transmission Organization" and "Independent System Operator" shall have the same meaning as provided by 16 U.S.C. 796.

Effective August 1, 2024.

(Amends R.S. 19:2(7))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill

1. Clarifies present law that except as to a transmission or generation project that is approved and included in a multi-state regional transmission organization's or independent system operator's transmission expansion plan or identified by such regional transmission organization or independent system operator as necessary for the reliability of the electric system or necessary for the interconnection of a generator.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the engrossed bill:

1. Require a domestic and foreign corporation, limited liability company, or other legal entity created for the purpose of generating, transmitting, and distributing

electricity and steam for power, lighting, heating, or other such uses be subject to certain qualifications in order to expropriate property.

2. Assign definitions to "Regional Transmission Organization" and "Independent System Operator".