
DIGEST

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HB 553 Original

2025 Regular Session

Schamerhorn

Abstract: Prohibits the exercise of eminent domain or unitization for the purposes of constructing or operating a pipeline for carbon dioxide transport.

Present law provides for expropriation by the state or certain corporations, limited liability companies, or other legal entities.

Present law (R.S. 19:2(10)) provides for expropriation by any domestic or foreign corporation, limited liability company, or other legal entity created for the purpose of, or engaged in, the piping or marketing of carbon dioxide for use in connection with a secondary or tertiary recovery project for the enhanced recovery of liquid or gaseous hydrocarbons approved by the commissioner of conservation, or created for the purpose of, or engaged in, the transportation of carbon dioxide by pipeline for underground storage or for property located in La. for the transportation of carbon dioxide for underground injection in connection with such projects located in La. or in other states or jurisdictions.

Proposed law removes the provision contained in present law that allows for expropriation by any legal entity of property for the transportation of carbon dioxide for underground injection.

Present law (R.S. 30:1108) authorizes any storage operator, after obtaining any permit and any certificate of public convenience and necessity from the commissioner, to exercise the power of eminent domain and expropriate needed property to acquire surface and subsurface rights and property interests necessary or useful for the purpose of constructing, operating, or modifying a storage facility and the necessary infrastructure including the laying, maintaining, and operating of pipelines for the transportation of carbon dioxide to a storage facility.

Proposed law removes the provision in present law authorizing any storage operator to exercise the power of eminent domain and expropriate needed property for the laying, maintaining, and operating of pipelines for the transportation of carbon dioxide to a storage facility.

Proposed law (R.S. 30:1108.1) prohibits any person or legal entity from exercising the right of eminent domain or unitization to acquire rights for the construction or operation of a carbon dioxide pipeline. However, authorizes unitization with consent of the property owner.

(Amends R.S. 19:2(10) and R.S. 30:1108(A)(1), (C), and (D); Adds R.S. 30:1108.1)