



owners of the lands, minerals, or other rights or interests not acquired for the storage facility. Proposed law prohibits the right of eminent domain from prejudicing landowner rights or mineral rights not reasonably necessary for the use of the acquired property.

Present law authorizes the commissioner to levy per tonnage of carbon dioxide stored fee on operators up to a maximum of \$5,000,000. The rate of collecting the fee shall be determined by the commissioner based on the formula  $F \times 120 < M$ , where "F" is the per unit fee, "120" is the minimum number of months over which the fee is collected, and "M" is the maximum payment of \$5,000,000. Proposed law increases the minimum number of months from 120 to 144, thereby changing the formula from  $F \times 120 < M$  to  $F \times 144 < M$ .

Present law authorizes the expropriation of property by any domestic or foreign corporation, limited liability company, or other legal entity composed of such corporations or wholly owned subsidiaries of such entities engaged in the injection of carbon dioxide for the underground storage of carbon dioxide approved by the commissioner of conservation. Proposed law extends that expropriation authority for the purpose of transporting carbon dioxide by pipeline to a carbon dioxide storage facility.

Effective August 1, 2020.

(Amends R.S. 30:1103(2), (3), (6), and (9), 1104(A)(9), (C) (intro para) and (C)(1), 1108(A)(1) and (B), 1109(A), 1110(C)(1)(a)-(e), 1111(F), and R.S. 19:2(12); adds R.S. 30:1103(12))

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Natural Resources to the original bill

1. Adds definition for interested person.
2. Removes language preventing the commissioner from disapproving documentation and quantification of carbon dioxide stored in association with an enhanced oil and gas recovery project.
3. Removes language requiring the commissioner to issue an order at the request of the owner on the ownership of CO<sub>2</sub> that has been reduced to possession and injected into a storage facility.
4. Removes language relative to liability and release from liability.
5. Technical amendments