

2024 Regular Session

HOUSE BILL NO. 492

BY REPRESENTATIVE GEYMANN

PROPERTY/EXPROPRIATION: Provides relative to eminent domain

1 AN ACT

2 To amend and reenact R.S. 30:1108(B)(1), relative to expropriation; to clarify the rights of  
3 owners of land as it relates to eminent domain; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 30:1108(B)(1) is hereby amended and reenacted to read as follows:

6 §1108. Eminent domain; expropriation

7 \* \* \*

8 B.(1) Except as provided in Paragraph (2) of this Subsection, the exercise of  
9 the right of eminent domain granted in this Chapter shall not prevent persons having  
10 the right to do so from drilling through the storage facility in such manner as shall  
11 comply with the rules of the commissioner issued for the purpose of protecting the  
12 storage facility against pollution or invasion and against the escape or migration of  
13 carbon dioxide. Furthermore, the right of eminent domain set out in this Section  
14 shall not prejudice the rights of the owners of the lands or minerals as to all other  
15 uses not acquired for the storage facility and not reasonably necessary for the use of  
16 the acquired property.

17 \* \* \*

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**DIGEST**

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 492 Original

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Geymann

**Abstract:** Clarifies the rights of land owners relative to eminent domain.

Present law specifies that the right of eminent domain cannot prejudice an owner's land or mineral rights not acquired for a storage facility or necessary for use of acquired property.

Proposed law clarifies that the protections afforded land owners in present law extend to all other uses not acquired for a storage facility or necessary for use of acquired property.

(Amends R.S. 30:1108(B)(1))