

RÉSUMÉ DIGEST

ACT 164 (SB 108)

2024 Regular Session

Seabaugh

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

Existing 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.

New 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 new law in order to expropriate property.

New law provides that property may be expropriated exclusively by an "electric public utility" as that term is defined in new law 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, distribution lines, 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 La.

Existing law provides that the generating plants, buildings, transmission lines, stations, and substations expropriated or for which property was expropriated shall be so located, constructed, operated, and maintained as not to be dangerous to persons or property nor interfere with the use of the wires of other wire using companies or, more than is necessary, with the convenience of the landowners. New law retains existing law.

New law also provides that the terms "Regional Transmission Organization" and "Independent System Operator" shall have the same meaning as provided by existing federal law.

New law provides that in the event that any provision or provisions of new law are declared invalid or unenforceable by any court of competent jurisdiction, the remaining terms and provisions that are not affected thereby shall remain in full force and effect.

Effective August 1, 2024.

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