

2026 Regular Session

SENATE BILL NO. 466

BY SENATOR SEABAUGH

EXPROPRIATION. Provides relative to expropriation by foreign entities. (8/1/26)

1 AN ACT

2 To amend and reenact R.S. 19:2, relative to expropriation of property by foreign entities; to
3 provide for foreign powers; to provide for majority ownership; to provide for
4 identification of foreign adversaries; to provide for geographic limitations; to provide
5 for military bases; to provide relative to aircraft, airports, and other navigation and
6 aerospace facilities; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 19:2 is hereby amended and reenacted to read as follows:

9 §2. Expropriation by state or certain corporations, limited liability companies, or
10 other legal entities

11 A. Prior to filing an expropriation suit, an expropriating authority shall
12 attempt in good faith to reach an agreement as to compensation with the owner of the
13 property sought to be taken and comply with all of the requirements of R.S. 19:2.2.
14 If unable to reach an agreement with the owner as to compensation, any of the
15 following may expropriate needed property:

16 (1) The state or its political corporations or subdivisions created for the
17 purpose of exercising any state governmental powers.

1 (2) Any domestic or foreign corporation, limited liability company, or other
2 legal entity created for, or engaged in, the construction of railroads, toll roads, or
3 navigation canals.

4 (3) Any domestic or foreign corporation, limited liability company, or other
5 legal entity created for, or engaged in, the construction or operation of street
6 railways, urban railways, or inter-urban railways.

7 (4) Any domestic or foreign corporation, limited liability company, or other
8 legal entity created for, or engaged in, the construction or operation of waterworks,
9 filtration and treating plants, or sewerage plants to supply the public with water and
10 sewerage.

11 (5) Any domestic or foreign corporation, limited liability company, or other
12 legal entity created for, or engaged in, the piping and marketing of natural gas for the
13 purpose of supplying the public with natural gas as a common carrier or contract
14 carrier or any domestic or foreign corporation, limited liability company, or other
15 legal entity which is or will be a natural gas company or an intrastate natural gas
16 transporter as defined by federal or state law, composed entirely of such entities or
17 composed of the wholly owned subsidiaries of such entities. As used in this
18 Paragraph, "contract carrier" means any legal entity that transports natural gas for
19 compensation or hire pursuant to special contract or agreement with unaffiliated third
20 parties.

21 (6) Any domestic or foreign corporation, limited liability company, or other
22 legal entity created for the purpose of, or engaged in, transmitting intelligence by
23 telegraph or telephone.

24 (7) Any domestic or foreign corporation, limited liability company, or other
25 legal entity created for the purpose of, or engaged in, generating, transmitting, and
26 distributing or for transmitting or distributing electricity and steam for power,
27 lighting, heating, or other such uses subject to the following qualifications. Property
28 located in Louisiana may be expropriated exclusively by an electric public utility as
29 defined in R.S. 45:121 or an affiliated entity either for a transmission or generation

1 project that is approved and included in a multistate regional transmission
2 organization's or independent system operator's transmission expansion plan or
3 identified by such regional transmission organization or independent system operator
4 as necessary for the reliability of the electric system or necessary for the
5 interconnection of a generator, or for generating plants, buildings, transmission lines,
6 stations or substations, distribution lines, or other associated facilities if a majority
7 of the electricity or steam power to be generated, transmitted, or distributed in
8 connection with these intended facilities will be delivered to end-users located within
9 Louisiana. The generating plants, buildings, transmission lines, stations, and
10 substations expropriated or for which property was expropriated shall be so located,
11 constructed, operated, and maintained as not to be dangerous to persons or property
12 nor interfere with the use of the wires of other wire using companies or, more than
13 is necessary, with the convenience of the landowners. The terms "Regional
14 Transmission Organization" and "Independent System Operator" shall have the
15 meanings provided by 16 U.S.C. 796. In the event that any provision or provisions
16 of this Paragraph are declared invalid or unenforceable by any court of competent
17 jurisdiction, the remaining terms and provisions that are not affected thereby shall
18 remain in full force and effect.

19 (8) All persons included in the definition of common carrier pipelines as set
20 forth in R.S. 45:251.

21 (9) Any domestic or foreign corporation, limited liability company, or other
22 legal entity created for the purpose of, or engaged in, piping or marketing of coal or
23 lignite in whatever form or mixture convenient for transportation within a pipeline
24 as otherwise provided for in R.S. 30:721 through 723.

25 (10) Any domestic or foreign corporation, limited liability company, or other
26 legal entity created for the purpose of, or engaged in, the piping or marketing of
27 carbon dioxide for use in connection with a secondary or tertiary recovery project for
28 the enhanced recovery of liquid or gaseous hydrocarbons approved by the
29 commissioner of conservation, or created for the purpose of, or engaged in, the

1 transportation of carbon dioxide by pipeline for underground storage, including but
2 not limited to through connecting to an existing pipeline transporting carbon dioxide
3 for underground storage, whether owned or operated by the same entity, and which
4 has received a certificate of public convenience and necessity pursuant to the
5 provisions of R.S. 30:1107(B). Property located in Louisiana may be so expropriated
6 for the transportation of carbon dioxide for underground injection in connection with
7 such projects located in Louisiana or in other states or jurisdictions.

8 (11) Any domestic or foreign corporation, limited liability company, or other
9 legal entity created for the purpose of, or engaged in, the injection of carbon dioxide
10 for the underground storage of carbon dioxide and that has received a certificate of
11 public convenience and necessity pursuant to the provisions of R.S. 30:1107(A).
12 Property located in Louisiana may be so expropriated for the underground storage
13 of carbon dioxide in connection with such storage facility projects located in
14 Louisiana, including but not limited to surface and subsurface rights, mineral rights,
15 and other property interests necessary or useful for the purpose of constructing,
16 operating, or modifying a carbon dioxide storage facility. This Paragraph shall not
17 allow for the expropriation of reservoir storage rights for geologic storage of carbon
18 dioxide, except in connection with any project as to which R.S. 30:1108(B)(2) is
19 applicable. This Paragraph shall have no effect on nor does it grant expropriation of
20 the mineral rights or other property rights associated with the approvals required for
21 injection of carbon dioxide into enhanced recovery projects approved by the
22 commissioner under R.S. 30:4.

23 (12) Subject to any applicable limitations in this Section, any domestic or
24 foreign corporation, limited liability company, or other legal entity created for the
25 purpose of, or engaged in, any of the activities otherwise provided for in this Section.

26 **(13) Any domestic corporation, any foreign corporation organized or**
27 **incorporated under the laws of another state and authorized or registered to do**
28 **business in this state, any limited liability company, or any other legal entity**
29 **that is created for the purpose of, or that engages in, any activity involving the**

1 research, development, testing, operation, manufacture, or construction of
 2 aircraft, airports, or related aviation facilities, including but not limited to
 3 spaceflight activities, landing fields, landing strips, and navigation facilities,
 4 when the property utilized for such purposes consists of not less than twenty
 5 thousand contiguous acres and contains no residential structures.

6 B. No foreign power, alien, or corporation in which the majority of stock
 7 is controlled by any foreign power, alien, or alien corporation that is considered
 8 a foreign adversary as identified in 15 CFR 7.4(a) and identified in the database
 9 maintained by the United States Department of the Treasury, office of foreign
 10 assets shall expropriate property under the authority of this Section if the
 11 property to be expropriated is within fifty miles of a military base.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 466 Engrossed

2026 Regular Session

Seabaugh

Present law authorizes expropriation of property for certain purposes by certain entities, including the state, domestic and foreign corporations, limited liability companies, or other legal entities.

Proposed law retains present law and prohibits expropriation under present law by any foreign power, alien or corporation which is majority-owned by any foreign power, alien, or alien corporation, as identified in federal regulations and in the database of the U.S. Treasury, if the property to be expropriated is within 50 miles of a military base.

Proposed law provides that any domestic corporation, any foreign corporation organized or incorporated under the laws of another state and authorized or registered to do business in this state, any limited liability company, or any other legal entity that is created for the purpose of, or that engages in, any activity involving the research, development, testing, operation, manufacture, or construction of aircraft, airports, or related aviation facilities, including but not limited to spaceflight activities, landing fields, landing strips, and navigation facilities, when the property utilized for such purposes consists of not less than 20,000 contiguous acres and contains no residential structures.

Effective August 1, 2026.

(Amends R.S. 19:2)

Summary of Amendments Adopted by Senate

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

1. Make technical changes.
2. Authorize the expropriation of property when an agreement with the owner as to compensation cannot be reached by any domestic corporation, foreign corporation organized or incorporated under the laws of another state and doing business in this state, limited liability company, or other legal entity that engages in any activity involving the research, development, testing, operation, manufacture, or construction of aircraft, airports, or related aviation facilities, including spaceflight activities, landing fields, landing strips, and navigation facilities, when the property utilized consists of not less than twenty thousand contiguous acres and contains no residential structures.