

## HOUSE BILL NO. HB0106

Eminent domain-wind energy collector systems.

Sponsored by: Representative(s) Slagle, Eklund, Jennings,  
Ottman, Penn, Sommers and Styvar and  
Senator(s) Barlow, Cooper and Steinmetz

A BILL

for

1 AN ACT relating to eminent domain; reimposing a moratorium  
2 on the exercise of the power of condemnation for wind  
3 energy collector systems for a period of time; specifying  
4 applicability; and providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 1-26-815(d) is amended to read:

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10 **1-26-815. Right of eminent domain granted; ways of**  
11 **necessity for authorized businesses; purposes; extent.**

12

13 (d) No person qualified to exercise the condemnation  
14 authority granted by this section, except a public utility  
15 that has been granted a certificate of public convenience

1 and necessity pursuant to W.S. 37-2-205, shall exercise the  
2 authority for the erection, placement or expansion of  
3 collector systems associated with commercial facilities  
4 generating electricity from wind. The prohibition imposed  
5 by this subsection shall be effective immediately and shall  
6 end ~~June 30, 2015~~ June 30, 2032 or upon the effective date  
7 of legislation establishing additional conditions for the  
8 use of condemnation authority for the erection, placement  
9 or expansion of collector systems associated with  
10 commercial facilities generating electricity from wind,  
11 whichever occurs earlier. As used in this subsection,  
12 "collector systems associated with commercial facilities  
13 generating electricity from wind" means the conductor  
14 infrastructure, including conductors, towers, substations,  
15 switchgear and other components necessary to deliver power  
16 from any commercial facility generating electricity from  
17 wind up to but not including electric substations or  
18 interconnections facilities associated with existing or  
19 proposed transmission lines that serve load or that export  
20 energy from Wyoming.

21

22 **Section 2.** The moratorium imposed by this act shall  
23 not apply to prohibit an exercise of the condemnation

1 authority granted under W.S. 1-26-815(d) if the action to  
2 condemn property was filed in court and the initial funds  
3 required by W.S. 1-26-513(a) were deposited before the  
4 effective date of this act.

5

6       **Section 3.** This act is effective immediately upon  
7 completion of all acts necessary for a bill to become law  
8 as provided by Article 4, Section 8 of the Wyoming  
9 Constitution.

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11

(END)