

2024 Regular Session

HOUSE BILL NO. 783

BY REPRESENTATIVE MCCORMICK

ENERGY/CONSERVATION: Provides relative to eminent domain and compensation for pore space owners

1 AN ACT

2 To enact R.S. 30:1108(E), relative to compensation of landowners when a storage owner  
3 exercises the power of eminent domain; to provide for compensation for pore space  
4 owners in eminent domain proceedings; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 30:1108(E) is hereby enacted to read as follows:

7 §1108. Eminent domain; expropriation

8 \* \* \*

9 E. If the power of eminent domain is exercised in order to take pore space  
10 or rights or interests thereto, or if the storage rights or other uses of pore space have  
11 been included in a unitization order by the commissioner of conservation, the  
12 landowner shall be compensated no less than the maximum amount paid to any other  
13 landowner in that project. Such compensation shall be paid on a per acre basis, for  
14 all revenue streams associated with the geological storage of carbon dioxide. All  
15 information necessary to make a determination for landowner compensation may be  
16 requested by the court for review if expropriation is used, or requested by the  
17 commissioner of conservation if unitization is ordered. However, the provisions of  
18 this Section shall not apply where there is a contract between the landowner and the  
19 storage operator.

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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 783 Engrossed

2024 Regular Session

McCormick

**Abstract:** Provides relative to landowner compensation for eminent domain.

Present law authorizes a storage operator to expropriate property through eminent domain after receiving a permit and a certificate of necessity from the commissioner.

Proposed law provides that a landowner shall be compensated no less than the maximum amount paid to any other landowner in a project if the power of eminent domain is exercised in order to take pore space or rights or interests thereto or if the storage rights or other uses of pore space have been included in a unitization order by the commissioner of conservation.

Proposed law also provides that the compensation shall be paid on a per acre basis for all revenue streams associated with the geological storage of carbon dioxide.

Proposed law provides that nothing in proposed law shall apply in a contract between a landowner and a storage operator.

Proposed law provides that a court may request and review all information necessary to make a determination for landowner compensation if expropriation is used or requested by the commissioner of conservation if unitization is ordered.

(Adds R.S. 30:1108(E))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Provide and specify methods for calculating compensation for a landowner affected by eminent domain exercised to take pore space, rights, or interests, or if the storage rights or other uses of pore space have been included in a unitization order by the commissioner of conservation.
2. Provide that proposed law shall not apply in a contract between a landowner and a storage operator.
3. Provide that a court may request and review all information necessary to make a determination for landowner compensation if expropriation is used or requested by the commissioner of conservation if unitization is ordered.