

2026 Regular Session

HOUSE BILL NO. 1094

BY REPRESENTATIVE CREWS

PROPERTY/EXPROPRIATION: Provides relative to expropriated property near a military base

1 AN ACT

2 To amend and reenact R.S. 19:2, relative to expropriation; to provide for restrictions on
3 expropriation; to provide relative to any foreign power, any alien, or any corporation;
4 to prohibit certain activities; to provide relative to military bases; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

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

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

10 A. Prior to filing an expropriation suit, an expropriating authority shall
11 attempt in good faith to reach an agreement as to compensation with the owner of the
12 property sought to be taken and comply with all of the requirements of R.S. 19:2.2.

13 If unable to reach an agreement with the owner as to compensation, any of the
14 following may expropriate needed property:

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

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

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

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

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

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

21 (7) Any domestic or foreign corporation, limited liability company, or other
22 legal entity created for the purpose of, or engaged in, generating, transmitting, and
23 distributing or for transmitting or distributing electricity and steam for power,
24 lighting, heating, or other such uses subject to the following qualifications. Property
25 located in ~~Louisiana~~ this state may be expropriated exclusively by an electric public
26 utility as defined in R.S. 45:121 or an affiliated entity either for a transmission or
27 generation project that is approved and included in a multistate regional transmission
28 organization's or independent system operator's transmission expansion plan or
29 identified by such regional transmission organization or independent system operator

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

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

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

22 (10) Any domestic or foreign corporation, limited liability company, or other
23 legal entity created for the purpose of, or engaged in, the piping or marketing of
24 carbon dioxide for use in connection with a secondary or tertiary recovery project for
25 the enhanced recovery of liquid or gaseous hydrocarbons approved by the
26 commissioner of conservation, or created for the purpose of, or engaged in, the
27 transportation of carbon dioxide by pipeline for underground storage, including but
28 not limited to through connecting to an existing pipeline transporting carbon dioxide
29 for underground storage, whether owned or operated by the same entity, and which

1 has received a certificate of public convenience and necessity pursuant to the
2 provisions of R.S. 30:1107(B). Property located in ~~Louisiana~~ this state may be ~~so~~
3 expropriated for the transportation of carbon dioxide for underground injection in
4 connection with such projects located in ~~Louisiana~~ this state or in other states or
5 jurisdictions.

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

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

24 B. No property expropriated pursuant to the authority of this Section shall
25 ever, directly or indirectly, be sold or donated to any foreign power, any alien, or any
26 corporation in which the majority of the stock is controlled by any foreign power,
27 alien corporation, or alien that is considered a foreign adversary as identified in 15
28 CFR 7.4(a) and identified in the database maintained by the United States

1 Department of the Treasury, office of foreign assets control, if the property is within
2 fifty miles of a military base.

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)]

HB 1094 Original

2026 Regular Session

Crews

Abstract: Prohibits expropriation of property 50 miles near a military base by foreign entities that are majority owned by a foreign adversary.

Proposed law prohibits expropriated property from being sold or donated, directly, or indirectly, to any foreign power, alien, or corporation in which the majority of the stock is controlled by any foreign power, alien corporation, or alien that is considered a foreign adversary as identified in 15 CFR 7.4(a) and identified in the database maintained by the U.S. Dept. of the Treasury, office of foreign assets control, if the property is within 50 miles of a military base.

(Amends R.S. 19:2)