

2026 Regular Session

HOUSE BILL NO. 37

BY REPRESENTATIVE OWEN

PROPERTY/EXPROPRIATION: Prohibits foreign entities from conducting expropriation activities

1 AN ACT

2 To amend and reenact R.S. 19:2, relative to expropriation by a foreign entity; to prohibit
3 expropriation by a foreign entity in certain circumstances; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

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

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

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

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 may be expropriated exclusively by an electric public utility as
26 defined in R.S. 45:121 or an affiliated entity either for a transmission or generation
27 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. The generating plants, buildings, transmission lines, stations, and
7 substations expropriated or for which property was expropriated shall be so located,
8 constructed, operated, and maintained as not to be dangerous to persons or property
9 nor interfere with the use of the wires of other wire using companies or, more than
10 is necessary, with the convenience of the landowners. The terms "Regional
11 Transmission Organization" and "Independent System Operator" shall have the
12 meanings provided by 16 U.S.C. 796. In the event that any provision or provisions
13 of this Paragraph are declared invalid or unenforceable by any court of competent
14 jurisdiction, the remaining terms and provisions that are not affected thereby shall
15 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 may be so
3 expropriated for the transportation of carbon dioxide for underground injection in
4 connection with such projects located in Louisiana or in other states or jurisdictions.

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

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

23 B. The provisions of this Title shall not apply to any foreign corporation,
24 limited liability company, or other legal entity not incorporated or registered to do
25 business under the laws of any state or territory of the United States or the District
26 of Columbia.

27 C. The provisions of this Title shall not apply to any foreign corporation,
28 limited liability company, or other legal entity whose country of primary ownership

1 or incorporation does not have a reciprocal expropriation agreement with the United
2 States.

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 37 Original

2026 Regular Session

Owen

Abstract: Prohibits expropriation by a foreign entity in certain circumstances.

Proposed law prohibits the expropriation of property by any foreign corporation, limited liability company, or other legal entity not incorporated or registered to do business under the laws of any state or territory of the U.S. or the District of Columbia.

Proposed law prohibits the expropriation of property by any foreign corporation, limited liability company, or other legal entity whose country of primary ownership or incorporation does not have a reciprocal expropriation agreement with the U.S.

(Amends R.S. 19:2)