
DIGEST

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Montoucet

HB No. 1281

Abstract: Requires the commissioner of conservation to prepare a written declaration of rights to be distributed to landowners and to maintain a registry of entities with expropriation and condemnation authority.

Proposed law requires the commissioner of conservation to promulgate any reasonable rules, regulations, and orders that are necessary to prepare a written declaration of the rights of a landowner whose immovable property may be acquired by expropriation or condemnation as authorized by state or federal law for the purpose of construction and operation of pipelines transmitting any form of hydrocarbon or for injection of carbon dioxide for underground storage and to maintain a registry of such entities.

Proposed law requires the declaration of rights to include the following:

- (1) A description of the expropriation and condemnation procedure.
- (2) The acquiring entity's obligations to the landowner.
- (3) The landowner's right to compensation, to trial by a court, and to appeal.

Proposed law requires when an entity makes first contact with a landowner whose immovable property may be acquired, to provide the landowner with a printed copy of the declaration of rights and a written disclosure of the product the pipeline will transport, the agency or agencies that regulate the pipeline, and the agency's or agencies' contact information.

Proposed law requires the commissioner to make the registry of entities with the authority to expropriate or condemn available to the public, including access through the department's website.

Proposed law requires the commissioner to cooperate with any state, federal, or private entity, including the Public Service Commission, the Federal Energy Regulatory Commission, and the U.S. Dept. of Transportation, to ensure the distribution of the declaration of rights to the greatest extent possible or to maintain the accuracy of the registry.

Present law requires the Public Service Commission to make and enforce all other needful rules and regulations, either general in their nature or applicable to particular oil fields, covering fully the duties of common carrier pipelines.

Proposed law retains preset law and includes rules and regulations to carry out the purposes of proposed law.

(Amends R.S. 45:260, Adds R.S. 30:4(N))