

House File 308 - Introduced

HOUSE FILE 308

BY JENEARY

(COMPANION TO SF 101 BY
J. TAYLOR)

A BILL FOR

1 An Act repealing eminent domain authority for hazardous liquid
2 pipelines and including effective date and applicability
3 provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 479B.1, Code 2023, is amended to read as
2 follows:

3 **479B.1 Purpose — authority.**

4 It is the purpose of the general assembly in enacting this
5 law to grant the utilities board the authority to implement
6 certain controls over hazardous liquid pipelines to protect
7 landowners and tenants from environmental or economic
8 damages which may result from the construction, operation,
9 or maintenance of a hazardous liquid pipeline or underground
10 storage facility within the state, and to approve the location
11 and route of hazardous liquid pipelines, ~~and to grant rights of~~
12 ~~eminent domain where necessary.~~

13 Sec. 2. Section 479B.27, Code 2023, is amended to read as
14 follows:

15 **479B.27 Damage agreement.**

16 A pipeline company shall not construct a pipeline or
17 underground storage facility until a written statement is
18 on file with the board as to how damages resulting from the
19 construction of the pipeline shall be determined and paid,
20 ~~except in cases of eminent domain.~~ The pipeline company shall
21 provide a copy of the statement to the landowner.

22 Sec. 3. REPEAL. Section 479B.16, Code 2023, is repealed.

23 Sec. 4. EFFECTIVE DATE. This Act, being deemed of immediate
24 importance, takes effect upon enactment.

25 Sec. 5. APPLICABILITY. This Act applies to a pipeline
26 company that has yet to be granted a permit from the utilities
27 board on or after the effective date of the Act.

28 **EXPLANATION**

29 The inclusion of this explanation does not constitute agreement with
30 the explanation's substance by the members of the general assembly.

31 This bill repeals Code section 479B.16 relating to hazardous
32 liquid pipelines and eminent domain powers.

33 The bill modifies the powers of the Iowa utilities board by
34 removing the ability to grant a pipeline company the right of
35 eminent domain.

H.F. 308

- 1 The bill takes effect upon enactment.
- 2 The bill applies to pipeline companies without a permit from
- 3 the board on or after the effective date of the bill.