

House Study Bill 691 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
COMMERCE BILL BY CHAIRPERSON
YOUNG)

A BILL FOR

1 An Act relating to pipeline projects, including damage claims and
2 landowner rights, and including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 479.25, Code 2026, is amended to read as
2 follows:

3 **479.25 Damages.**

4 1. A pipeline company operating a pipeline or a gas storage
5 area shall have reasonable access to the pipeline or gas storage
6 area for the purpose of constructing, operating, maintaining,
7 or locating pipes, pumps, pressure apparatus or other stations,
8 wells, devices, or equipment used in or upon the pipeline or gas
9 storage area; shall pay the owner of the land for the right of
10 entry and the owner of crops for all damages caused by entering,
11 using, or occupying the land; and shall pay to the owner all
12 damages caused by the completion of construction of the pipeline
13 due to wash or erosion of the soil at or along the location
14 of the pipeline and due to the settling of the soil along and
15 above the pipeline. However, this section shall not prevent the
16 execution of an agreement between the pipeline company and the
17 owner of land or crops with reference to the use of the land.

18 2. A claim for damages pursuant to this section shall not be
19 precluded from renegotiation under section 6B.52 on the grounds
20 that the damages were apparent at the time of settlement or on
21 the grounds that more than five years have elapsed since the date
22 of the settlement.

23 3. An owner of the land or the owner of the crops that
24 incurred damage under this section is eligible for compensation
25 for damages. An owner of the land or the owner of the crops
26 may file an action for relief against a pipeline company in
27 small claims or district court for a violation of this section
28 or pursue remedies under section 479.45 or 479.46.

29 Sec. 2. Section 479.29, subsection 5, Code 2026, is amended
30 to read as follows:

31 5. If the pipeline company or its contractor does not comply
32 with the requirements of this section, with the land restoration
33 plan, or with an independent agreement on land restoration or
34 line location executed in accordance with subsection 10, the
35 county board of supervisors or an affected landowner may petition

1 the commission for an order requiring corrective action to be
2 taken. In addition, the county board of supervisors or the
3 landowner may file a complaint with the commission seeking
4 imposition of civil penalties pursuant to section 479.31. The
5 landowner may supply a copy of the complaint to the county board
6 of supervisors where the complaint originated.

7 Sec. 3. Section 479.45, Code 2026, is amended to read as
8 follows:

9 **479.45 Particular damage claims.**

10 1. Compensable losses shall include, but are not limited to,
11 all of the following:

12 a. Loss or reduced yield of crops or forage on the pipeline
13 right-of-way, whether caused directly by construction or from
14 disturbance of usual farm operations.

15 b. Loss or reduced yield of crops or yield from land near
16 the pipeline right-of-way resulting from lack of timely access to
17 the land or other disturbance of usual farm operations, including
18 interference with irrigation or drainage.

19 c. Fertilizer, lime, or organic material applied by the
20 landowner to restore land disturbed by construction to full
21 productivity.

22 d. Loss of or damage to trees of commercial or other value
23 that occurs at the time of construction, restoration, or ~~at the~~
24 ~~time of~~ any subsequent work by the pipeline company.

25 e. The cost of or losses in moving or relocating livestock,
26 and the loss of gain by or the death or injury of livestock
27 caused by the interruption or relocation of normal feeding.

28 f. Erosion and soil compaction on lands attributable to
29 pipeline construction.

30 g. Damage to farm equipment caused by striking a pipeline,
31 debris, or other material reasonably associated with pipeline
32 construction while engaged in normal farming operations as
33 defined in section 480.1.

34 h. Damage to soil or water conservation structures caused
35 by construction, restoration, or subsequent work by the pipeline

1 company including but not limited to terraces, grassed waterways,
2 water and sediment control basins, ponds, saturated buffers, and
3 biofilters.

4 i. Damage to irrigation or drainage systems caused by
5 construction, restoration, or subsequent work by the pipeline
6 company.

7 2. ~~A claim for damage for future crop deficiency within~~
8 ~~the easement strip~~ damages incurred under this section shall
9 not be precluded from renegotiation under section 6B.52 on the
10 grounds that it was apparent at the time of settlement ~~unless~~
11 ~~the settlement expressly releases the pipeline company from~~
12 ~~claims for damage to the productivity of the soil or on the~~
13 grounds that more than five years have elapsed since the date
14 of the settlement. The landowner shall notify the company in
15 writing fourteen days prior to harvest in each year to assess
16 crop deficiency or by providing global positioning system yield
17 monitoring data or similar assessment data demonstrating crop
18 deficiency to the company.

19 3. A landowner that incurred damage under this section is
20 eligible for compensation for damages. The landowner may file an
21 action for relief against a pipeline company in small claims or
22 district court for a violation of this section or pursue remedies
23 under section 479B.30.

24 4. For the purposes of this section, "landowner" also
25 includes a farm tenant.

26 Sec. 4. Section 479A.11, Code 2026, is amended to read as
27 follows:

28 **479A.11 Damages.**

29 1. A pipeline company operating pipelines or underground
30 storage shall be given reasonable access to the pipelines
31 and storage areas for the purpose of constructing, operating,
32 maintaining, or locating ~~their~~ its pipes, pumps, pressure
33 apparatus, or other stations, wells, devices, or equipment used
34 in or upon a pipeline or storage area, but shall pay the owner
35 of the lands for the right of entry and the owner of crops on

1 the land all damages caused by entering, using, or occupying the
2 lands for these purposes; and shall pay to the owner of the
3 lands, after the completion of construction of the pipeline or
4 storage, all damages caused by settling of the soil along and
5 above the pipeline, and wash or erosion of the soil along the
6 pipeline due to the construction of the pipeline. However, this
7 section does not prevent the execution of an agreement with other
8 terms between the pipeline company and the owner of the land or
9 crops with reference to their use.

10 2. A claim for damages pursuant to this section shall not be
11 precluded from renegotiation under section 6B.52 on the grounds
12 that the damages were apparent at the time of settlement or on
13 the grounds that more than five years have elapsed since the date
14 of the settlement.

15 3. An owner of the land or an owner of the crops that
16 incurred damage under this section is eligible for compensation
17 for damages. An owner of the land or an owner of the crops may
18 file an action for relief against a pipeline company in small
19 claims or district court for a violation of this section.

20 Sec. 5. Section 479B.20, subsection 5, Code 2026, is amended
21 to read as follows:

22 5. If the pipeline company or its contractor does not comply
23 with the requirements of this section, with the land restoration
24 plan or line location, or with an independent agreement on land
25 restoration executed in accordance with subsection 10, the county
26 board of supervisors or an affected landowner may petition the
27 commission for an order requiring corrective action to be taken.
28 In addition, the county board of supervisors or the landowner may
29 file a complaint with the commission seeking imposition of civil
30 penalties under section 479B.21. The landowner may supply a copy
31 of the complaint to the county board of supervisors where the
32 complaint originated.

33 Sec. 6. Section 479B.20, Code 2026, is amended by adding the
34 following new subsection:

35 NEW SUBSECTION. 13. For purposes of this section,

1 "landowner" also includes a farm tenant.

2 Sec. 7. Section 479B.29, Code 2026, is amended to read as
3 follows:

4 **479B.29 Particular damage claims.**

5 1. Compensable losses shall include, but are not limited to,
6 all of the following:

7 a. Loss or reduced yield of crops or forage on the pipeline
8 right-of-way, whether caused directly by construction or from
9 disturbance of usual farm operations.

10 b. Loss or reduced yield of crops or yield from land near
11 the pipeline right-of-way resulting from lack of timely access to
12 the land or other disturbance of usual farm operations, including
13 interference with irrigation or drainage.

14 c. Fertilizer, lime, or organic material applied by the
15 landowner to restore land disturbed by construction to full
16 productivity.

17 d. Loss of or damage to trees of commercial or other value
18 that occurs at the time of construction, restoration, or ~~at the~~
19 ~~time of~~ any subsequent work by the pipeline company.

20 e. The cost of or losses in moving or relocating livestock,
21 and the loss of gain by or the death or injury of livestock
22 caused by the interruption or relocation of normal feeding.

23 f. Erosion and soil compaction on lands attributable to
24 pipeline construction.

25 g. Damage to farm equipment caused by striking a pipeline,
26 debris, or other material reasonably associated with pipeline
27 construction while engaged in normal farming operations as
28 defined in section 480.1.

29 h. Damage to soil or water conservation structures caused
30 by construction, restoration, or subsequent work by the pipeline
31 company including but not limited to terraces, grassed waterways,
32 water and sediment control basins, ponds, saturated buffers, and
33 biofilters.

34 i. Damage to irrigation or drainage systems caused by
35 construction, restoration, or subsequent work by the pipeline

1 company.

2 2. A claim for ~~damage for future crop deficiency within~~
3 ~~the easement strip~~ damages incurred under this section shall
4 not be precluded from renegotiation under section 6B.52 on the
5 grounds that it was apparent at the time of settlement ~~unless the~~
6 ~~settlement expressly releases the pipeline company from claims~~
7 ~~for damage to the productivity of the soil~~ or on the grounds
8 that more than five years have elapsed since the date of the
9 settlement. The landowner shall notify the pipeline company in
10 writing fourteen days prior to harvest in each year to assess
11 crop deficiency or by providing global positioning system yield
12 monitoring data or similar assessment data demonstrating crop
13 deficiency to the company.

14 3. A landowner that incurred damage under this section is
15 eligible for compensation for damages. The landowner may file an
16 action for relief against a pipeline company in small claims or
17 district court for a violation of this section or pursue remedies
18 under section 479B.30.

19 4. For the purposes of this section, "landowner" also
20 includes a farm tenant.

21 Sec. 8. EFFECTIVE DATE. This Act, being deemed of immediate
22 importance, takes effect upon enactment.

23 EXPLANATION

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

26 This bill relates to pipeline projects, including damage
27 claims and landowner rights.

28 Under current law, landowners and crop owners who incur
29 damages from the construction, reconstruction, maintenance, or
30 operation of pipelines are eligible for compensation. The
31 bill provides that claims for damages are not precluded from
32 renegotiation under Code section 6B.52 solely because the damages
33 were apparent at the time of settlement or because more than
34 five years have elapsed since settlement. The bill further
35 authorizes a landowner or crop owner to file an action for relief

1 against a pipeline company in small claims or district court
2 for violations of the damage payment provisions, in addition to
3 existing remedies.

4 The bill authorizes landowners, in addition to county
5 boards of supervisors, to petition the utilities commission for
6 corrective action and to file complaints seeking civil penalties
7 for violations of land restoration requirements.

8 The bill expands the list of compensable losses resulting from
9 pipeline construction, operation, restoration, or subsequent work
10 to include loss or reduced yield as a result of drainage, soil
11 compaction, damage to soil and water conservation structures, and
12 damage to irrigation systems and allows for global positioning
13 system yield monitoring data or similar assessment data to be
14 used for demonstrating any crop deficiency.

15 The bill amends a provision related to interstate natural
16 gas pipelines to make conforming changes for damage claims and
17 available relief actions.

18 The bill amends provisions related to hazardous liquid
19 pipelines and underground storage facilities, including related
20 to damage claims, available relief actions, petitions for
21 corrective action, and compensable losses.

22 The bill takes effect upon enactment.