

Senate File 2058 - Introduced

SENATE FILE 2058

BY TAYLOR

A BILL FOR

1 An Act relating to pipeline project investor disclosures,
2 making penalties applicable, and providing effective date and
3 retroactive applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 479B.4, subsection 1, Code 2026, is
2 amended to read as follows:

3 1. A pipeline company doing business in this state shall file
4 a verified petition with the commission asking for a permit to
5 construct, maintain, and operate a new pipeline along, over,
6 or across the public or private highways, grounds, waters, and
7 streams of any kind in this state. Any pipeline company now
8 owning or operating a pipeline or underground storage facility
9 in this state shall be issued a permit by the commission upon
10 supplying the information as provided for in section 479B.5,
11 subsections 1 through 5, section 479B.34, and meeting the
12 requirements of section 479B.13.

13 Sec. 2. NEW SECTION. **479B.34 Investor disclosures seeking**
14 **the right of eminent domain.**

15 1. For purposes of this section, "investor" means a natural
16 person who owns a beneficial interest of greater than one dollar
17 in a planned pipeline project, either directly or through a
18 business association, as defined in section 202B.102.

19 2. A pipeline company seeking the right of eminent domain for
20 a pipeline project shall include in its permit application all of
21 the following:

22 a. The names of all planned pipeline project investors.

23 b. The home addresses of all planned pipeline project
24 investors.

25 c. Each investor's range of planned monetary investment as
26 follows:

27 (1) At least one dollar, but less than ten thousand dollars.

28 (2) At least ten thousand dollars, but less than fifty
29 thousand dollars.

30 (3) At least fifty thousand dollars, but less than one
31 hundred thousand dollars.

32 (4) At least one hundred thousand dollars, but less than five
33 hundred thousand dollars.

34 (5) At least five hundred thousand dollars, but less than one
35 million dollars.

1 (6) Over one million dollars.

2 3. A pipeline company that fails to accurately and fully
3 comply with the disclosures required by this section shall be
4 assessed a civil penalty of not less than one million dollars by
5 the commission, and each resident of the state of Iowa shall have
6 a cause of action against the pipeline company and the commission
7 for all damages incurred by the resident caused by the violation.

8 Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate
9 importance, takes effect upon enactment.

10 Sec. 4. APPLICABILITY. This Act applies retroactively to an
11 application to construct a pipeline submitted on or after July 1,
12 2019.

13 EXPLANATION

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

16 This bill relates to pipeline project investor disclosures.

17 The bill defines "investor" as a natural person who owns a
18 beneficial interest of greater than \$1 in a planned pipeline
19 project, either directly or through a business association.

20 The bill provides that a pipeline company seeking eminent
21 domain rights shall include investor information in the
22 application for a permit submitted to the utilities board. The
23 permit application shall include the names and home addresses
24 of all planned pipeline investors and the range of planned
25 investment per investor as indicated in a range from \$1 to
26 \$9,999.99, \$10,000 to \$49,999.99, \$50,000 to \$99,999.99, \$100,000
27 to \$499,999.99, \$500,000 to \$999,999.99, or \$1 million or over.

28 The bill provides that if a pipeline company fails to
29 accurately and fully comply with the disclosures required,
30 the commission shall assess a civil penalty of not less than
31 \$1 million. Additionally, the bill creates a cause of action
32 for residents of the state if a violation occurs for all damages
33 incurred by the resident due to the violation.

34 The bill takes effect upon enactment. The bill applies
35 retroactively to applications submitted by pipeline companies

1 seeking the right of eminent domain on or after July 1, 2019.

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