

HB 1902 -- INFRASTRUCTURE DEVELOPMENT

SPONSOR: Walker (3)

This bill states that no gas corporation, electrical corporation, water corporation, or sewer corporation shall seek a certificate of necessity and convenience from the Public Service Commission required for operation in Missouri before providing at least 120 days notice to all affected property owners. Before any certificate may be approved, the requesting corporation shall provide evidence to the commission of the approval of each affected county commission.

The bill extends the written notice requirement before proceeding with condemnation from 60 to 120 days, and bars private utilities from using eminent domain for the construction of electrical lines or infrastructure.

The bill also establishes a new procedure for eminent domain proceedings seeking to acquire land devoted to agriculture or an interest therein. A condemning authority shall select a route along established boundary lines unless the applicable property owner, lease holder, manager, trustee, conservator, or executor consents to a deviation.

No action by a condemning authority shall exceed a burden of ten pounds of force per square inch (PSI) on the soil of the agricultural land subject to a eminent domain proceeding. No vehicles or equipment with an axle load greater than 10,000 pounds per axle, a gross weight of more than 50,000 pounds, or that exerts more than 10 PSI shall traverse the land on temporary decking, and the decking shall not exert more than five PSI on the land. A condemning authority may not impede the potential or existing land use practices of the property owner, lease holder, manager, or executor. A condemning authority shall also give two weeks' written notice to the landowner before accessing an easement, except in emergency circumstances.