

HOUSE AMENDMENT NO. _____
TO
HOUSE AMENDMENT NO. _____

Offered By _____

1 AMEND House Amendment No. _____ to House Committee Substitute for House Bill No. 992,
2 Page 1, Lines 2-4, by deleting said lines and inserting in lieu thereof the following:

3
4 "22-83, by deleting all of said lines and inserting in lieu thereof the following:

5
6 "construction of electric transmission facilities. Regardless of whether the application under
7 section 1 of this section proposes co-location of the project, the commission can consider co-
8 location with, parallel to, or along existing rights of way in its review of the application. In
9 addition, to the extent such electric transmission facilities will be sited with or along or will replace
10 or upgrade existing above-ground electrical infrastructure that is not owned by an entity seeking
11 permission and approval pursuant to an application filed under subsection 1 of this section or by its
12 affiliate, the entity or entities that will own the new electric transmission facilities subject to the
13 application shall obtain from the underlying fee owners independent real estate rights necessary to
14 accommodate the installation and operation thereof. Notwithstanding subsection 4 of section
15 523.010 or any other provision of law, regulation, or judicial precedent to the contrary, the
16 commission shall have authority, under an application filed under subsection 1 of this section, in
17 granting the permission or approval sought to allow or require, on a nondiscriminatory basis with
18 just compensation and conditions, joint-use or co-location of new transmission facilities on existing
19 rights of way, including rights of way involving joint use or co-location of new transmission
20 facilities with existing or to-be retired transmission facilities. Nothing in this subdivision shall
21 relieve such entity or entities of the obligations contained in sections 523.039 or 523.256 for robust
22 landowner input and the obligations for land restoration and maintenance after any joint-use or co-
23 location. Nothing in this section is intended to require co-location with existing facilities or upgrade
24 of such facilities to the extent that such designation would prohibit or limit a competitive solicitation
25 process to determine the developer of new transmission facilities approved by a regional
26 transmission operator.

27 (2) Notwithstanding any other provision of law, regulation, or judicial precedent to the
28 contrary, including subsection 4 of section 523.010, an owner of any property or property rights that
29 are the subject of any electric transmission project shall be entitled to just compensation under
30 section 523.039, regardless of whether there is an existing utility right of way when application is
31 made under subsection 1 of this section. Notwithstanding subsection 2 of section 523.039 to the
32 contrary, for eminent domain proceedings of any agricultural or horticultural property that is the
33 subject of any electronic transmission project by any electrical corporation as defined in section
34 386.020, municipally owned electric utility, rural electric cooperative, or investor-owned electrical

Action Taken _____ Date _____

1 utility, just compensation shall be an amount equivalent to fair market value multiplied by one
2 hundred fifty percent, as determined by the court. The provisions of this subsection shall not apply
3 to applications filed under subsection 1 of this section before August 28, 2023.

4 (3) For the purposes of this subsection, the following terms shall mean:"; and"; and
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6 Further amend said amendment, Page 3, Lines 6-23, by deleting all of said lines and inserting in lieu
7 thereof the following:
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9 "or converts the light or heat generated by the sun to generate or manufacture electricity."; and"; and
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11 Further amend said bill by amending the title, enacting clause, and intersectional references
12 accordingly.
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14 THIS AMENDS 2093H04.08H