

HB 475 -- EMINENT DOMAIN FOR UTILITY PURPOSES

SPONSOR: Pollitt

COMMITTEE ACTION: Voted "Do Pass" by the Special Committee on Rural Issues by a vote of 10 to 4. Voted "Do Pass" by the Standing Committee on Rules-Administrative by a vote of 6 to 1 with 1 voting present.

This bill prohibits the use of eminent domain by electrical corporations for the construction or erection of any plant, tower, panel, or facility that:

- (1) Uses, captures, or converts wind or air currents to generate or manufacture electricity; or
- (2) Uses, captures, or converts the light or heat generated by the sun to generate or manufacture electricity.

The bill specifies that the authority of any corporation to condemn property extends to the acquisition of rights needed for collection, distribution, and transmission lines and to other facilities needed to collect and deliver energy generated or manufactured by solar or wind facilities.

This bill is the same as HB 1750 (2024) and HB 1052(2023).

PROPONENTS: Supporters say that eminent domain proceedings should be a last resort for any utility and that wind and solar companies should negotiate fair prices with landowners. Currently wind and solar facilities are considered an electrical corporation and can petition the Public Service Commission for recognition as such, which would grant them the power of eminent domain.

Testifying in person for the bill were Representative Pollitt; Missouri Corn Growers Association; Missouri Soybean Association; and Missouri Farm Bureau.

OPPONENTS: No opposition was voiced to the Committee.

OTHERS: Others testifying on the bill say Ameren Missouri has no intentions of using condemnation proceedings to build wind or solar facilities. However, the regional transmission operator or other grid operator has requirements for grid connections and condemnation proceedings may be used for transmission lines and interconnects, but only as a last resort.

Testifying in person on the bill was Ameren.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.