

SECOND REGULAR SESSION

HOUSE BILL NO. 3456

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BOYKO.

7367H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 227, RSMo, by adding thereto one new section relating to utility colocation along highway corridors.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 227, RSMo, is amended by adding thereto one new section, to be known as section 227.241, to read as follows:

227.241. 1. For the purposes of this section, "electric transmissions facilities" shall include public utilities, investor owned utilities, utility cooperatives, municipal utilities, transmission only entities, and merchant transmission line developers.

2. For the purposes of this section, the term "highway" shall mean the public thoroughfare for vehicles, including public interstate highways, freeways, controlled access highways, and state and county highways.

3. Within highway rights of way, subject to reasonable engineering, safety, and access requirements, the commission and the department of transportation shall allow the installation, operation, and maintenance of electric transmission facilities, including high voltage and interstate transmission facilities.

4. The commission and the Missouri department of transportation shall develop uniform criteria for longitudinal and parallel colocation of transmission facilities within highway rights of ways.

5. The duties of the commission and the department shall include:

(1) Providing reasonable timelines and procedure for review and approval of colocation requests;

(2) Ensuring the safety of the public and infrastructure;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

18 **(3) Avoiding duplication of corridors where colocation is feasible; and**

19 **(4) Imposing reasonable conditions for construction, right of way access,**
20 **maintenance coordination, and restoration but shall not interfere with colocation.**

21 **6. The commission and department shall promulgate and enforce reasonable**
22 **rules and regulations to implement the provisions of this section. Any rule or portion of**
23 **a rule, as that term is defined in section 536.010, that is created under the authority**
24 **delegated in this section shall become effective only if it complies with and is subject to**
25 **all of the provisions of chapter 536 and, if applicable, section 536.028. This section and**
26 **chapter 536 are nonseverable and if any of the powers vested with the general assembly**
27 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
28 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**
29 **and any rule proposed or adopted after August 28, 2026, shall be invalid and void.**

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