

HB 2169 -- EMINENT DOMAIN FOR UTILITY PURPOSES

SPONSOR: Pollitt

COMMITTEE ACTION: Voted "Do Pass" by the Special Committee on Rural Issues by a vote of 9 to 3.

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 similar to HB 475 (2025) and HB 1750 (2024).

PROPOSERS: 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 Soybean Association; Missouri Farm Bureau; and Missouri Corn Growers Association.

OPPOSERS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say eminent domain is a last resort for investor-owned utilities and Ameren has no plans to use it for wind or solar projects. In addition, battery storage is the key to renewable energy and the technology advancements are coming along.

Testifying in person on the bill were Ameren; and Craig Redmon.

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.