

SB191 L.013

## HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation & Energy.SB13-191 be amended as follows:

1 Amend reengrossed bill, page 4, line 8, strike "law." and substitute "law;  
 2 EXCEPT THAT A PIPELINE COMPANY IS ONLY ENTITLED TO SUCH  
 3 RIGHT-OF-WAY IF THE GOVERNING BODY OF EACH MUNICIPALITY THROUGH  
 4 WHICH THE RIGHT-OF-WAY PASSES AND, IF ANY OF THE RIGHT-OF-WAY  
 5 PASSES THROUGH THE UNINCORPORATED AREA OF ANY COUNTY, THE  
 6 BOARD OF COUNTY COMMISSIONERS OF THE COUNTY, TAKES THE  
 7 RIGHT-OF-WAY FOR THE USE OF THE PIPELINE COMPANY BY GIVING NOTICE  
 8 AND MAKING JUST COMPENSATION IN THE MANNER PROVIDED BY LAW."

9 Page 4, line 10, strike "or pipeline companies" and substitute "or,  
 10 INDIRECTLY THROUGH MUNICIPALITIES AND COUNTIES, TO pipeline  
 11 companies,".

12 Page 4, line 23, before "pipeline" insert "MUNICIPALITY OR COUNTY  
 13 TAKING RIGHT-OF-WAY FOR THE USE OF A".

14 Page 5, line 16, after "occurrences." add "IF THE TAKING PARTY IS A  
 15 MUNICIPALITY OR COUNTY TAKING RIGHT-OF-WAY FOR THE USE OF A  
 16 PIPELINE COMPANY, THE PIPELINE COMPANY SHALL PAY AND BEAR ALL  
 17 COSTS AND PROVIDE ALL INDEMNIFICATION OTHERWISE REQUIRED TO BE  
 18 PAID, BORNE, OR PROVIDED BY A TAKING PARTY UNDER THIS SUBSECTION  
 19 (2), AND THE PIPELINE COMPANY HAS NO CLAIM AGAINST THE RAILROAD  
 20 FOR ANY LOSS RESULTING FROM ANY DAMAGES TO ITS FACILITIES  
 21 RESULTING FROM ANY UNFORSEEN EMERGENCIES OR ACTS OF GOD SUCH  
 22 AS DERAILMENT, EXPLOSIONS, COLLISIONS, OR FROM ACTIVITIES  
 23 REASONABLY PERFORMED IN REPAIRING DAMAGES CAUSED BY SUCH  
 24 OCCURRENCES."

25 Page 5, line 24, strike "thereof." and substitute "thereof; EXCEPT THAT A  
 26 PIPELINE COMPANY MAY NOT DIRECTLY EXERCISE THE POWER OF EMINENT  
 27 DOMAIN BUT MAY INSTEAD REQUEST THAT THE GOVERNING BODY OF EACH  
 28 MUNICIPALITY THROUGH WHICH THE NEEDED RIGHT-OF-WAY PASSES AND,  
 29 IF ANY OF THE RIGHT-OF-WAY PASSES THROUGH THE UNINCORPORATED  
 30 AREA OF ANY COUNTY, THE BOARD OF COUNTY COMMISSIONERS OF THE  
 31 COUNTY, EXERCISE THE POWER OF EMINENT DOMAIN TO TAKE THE  
 32 RIGHT-OF-WAY FOR THE USE OF THE PIPELINE COMPANY."

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