

HB 544 - AS INTRODUCED

2015 SESSION

15-0663
01/09

HOUSE BILL **544**

AN ACT allowing the general court to deny a utility the use of the power of eminent domain.

SPONSORS: Rep. Rappaport, Coos 1; Rep. Kurk, Hills 2; Rep. Ford, Graf 3

COMMITTEE: Science, Technology and Energy

ANALYSIS

This bill requires public utilities to notify the governor and all state legislators of the proposed project and to wait until a full, regular legislative session has passed before acquiring rights in land by eminent domain.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT allowing the general court to deny a utility the use of the power of eminent domain.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Providing the General Court the Opportunity to Deny a Public Utility the Use of
2 Eminent Domain. Amend RSA 362 by inserting after section 2 the following new section:

3 362:2-a Providing the General Court the Opportunity to Deny a Public Utility the Use of
4 Eminent Domain. A public utility shall not acquire land or the rights in land through eminent
5 domain for a particular project until a full, regular session of the general court has passed after the
6 public utility has notified the governor and all state legislators of the proposed project and the
7 general court has not enacted a ban on the use of the power of eminent domain for that particular
8 project. The notice required under this section shall include the names of the owners of property or
9 rights to be acquired and any other information requested by the governor, the speaker of the house
10 of representatives, or the president of the senate.

11 2 Effective Date. This act shall take effect 60 days after its passage.