

HOUSE BILL NO. HB0244

Carbon dioxide pipelines- eminent domain prohibition.

Sponsored by: Representative(s) Winter, Allemand, Angelos,
Strock and Wharff

A BILL

for

1 AN ACT relating to eminent domain; prohibiting persons from
2 using the power of eminent domain to place pipelines
3 conveying carbon dioxide for the purposes of carbon
4 capture, utilization or storage; specifying applicability;
5 making conforming amendments; and providing for an
6 effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 1-26-814 and 1-26-815(a) are amended
11 to read:

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13 **1-26-814. Right of eminent domain granted;**
14 **exceptions; petroleum or other pipeline companies;**
15 **purposes.**

1

2 (a) Whenever any utility or any petroleum or other
3 pipeline company, authorized to do business in this state,
4 has not acquired by gift or purchase any land, real estate
5 or claim required for the construction, maintenance and
6 operation of their facilities and appurtenances or which
7 may be affected by any operation connected with the
8 construction or maintenance of the same, the utility or
9 company has the right of eminent domain and may condemn the
10 easement required by the utility or company, except as
11 provided by subsection (b) of this section.

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13 (b) No person shall use the power of eminent domain
14 to place pipelines for the purpose of conveying or storing
15 carbon dioxide for the purpose of carbon capture,
16 utilization or storage in order to meet the low-carbon
17 energy standards specified under W.S. 37-18-101 and
18 37-18-102.

19

20 **1-26-815. Right of eminent domain granted; ways of**
21 **necessity for authorized businesses; purposes; extent.**

22

1 (a) Except as provided by W.S. 1-26-814(b), any
2 person, association, company or corporation authorized to
3 do business in this state may appropriate by condemnation a
4 way of necessity over, across or on so much of the lands or
5 real property of others as necessary for the location,
6 construction, maintenance and use of reservoirs, drains,
7 flumes, ditches including return flow and wastewater
8 ditches, underground water pipelines, pumping stations and
9 other necessary appurtenances, canals, electric power
10 transmission lines and distribution systems, railroad
11 trackage, sidings, spur tracks, tramways, roads or mine
12 truck haul roads required in the course of their business
13 for agricultural, mining, exploration drilling and
14 production of oil and gas, milling, electric power
15 transmission and distribution, domestic, municipal or
16 sanitary purposes, or for the transportation of coal from
17 any coal mine or railroad line or for the transportation of
18 oil and gas from any well.

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20 **Section 2.** This act shall apply to carbon capture,
21 utilization and storage projects for which construction
22 commences on or after July 1, 2025.

23

1 **Section 3.** This act is effective July 1, 2025.

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3

(END)