

Senate Bill 173

By: Senators Tolleson of the 20th, Hooks of the 14th, Moody of the 56th and Henson of the 41st

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 22-3-82 of the Official Code of Georgia Annotated, relating to
2 pipeline companies' rights to acquire property or property interests by eminent domain,
3 notices to landowners, relocations, right of reasonable access, and compensation for damage
4 incident to entry, so as to exempt certain acquisitions of additional pipeline rights of way
5 from restrictions and conditions otherwise imposed on the exercise of such power; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 22-3-82 of the Official Code of Georgia Annotated, relating to pipeline
10 companies' rights to acquire property or property interests by eminent domain, notices to
11 landowners, relocations, right of reasonable access, and compensation for damage incident
12 to entry, is amended by revising subsection (b) as follows:

13 "(b)(1) The restrictions and conditions imposed by this article on the exercise of the
14 power of eminent domain by petroleum pipeline companies shall not apply to ~~relocations;~~

15 (A) Relocations of pipelines necessitated by the exercise of a legal right by a third
16 party ~~or to any;~~

17 (B) Any activities incident to the maintenance of an existing pipeline or existing
18 pipeline right of way; ~~or~~

19 (C) The acquisition of property or interests therein for construction, operation, and
20 maintenance of an additional pipeline where the acquired right of way for the additional
21 pipeline is contiguous with pipeline right of way that existed on the effective date of
22 this subparagraph; provided, however, that any portion of the acquired right of way for
23 the additional pipeline may be noncontiguous to such previously existing pipeline right
24 of way if such portion is within one mile of such previously existing right of way and
25 the petroleum pipeline company deems the noncontiguity is necessary for that portion
26 to avoid an environmentally sensitive area, a site listed on the National Register of

1 Historic Places or the Georgia Register of Historic Places, or densely developed
2 residential or commercial areas.

3 (2) A pipeline company shall have a right of reasonable access to property proposed as
4 the site of a pipeline for the purpose of conducting a survey of the surface of such
5 property for use in determining the suitability of such property for placement of a
6 pipeline."

7 **SECTION 2.**

8 All laws and parts of laws in conflict with this Act are repealed.