

The Senate Regulated Industries and Utilities Committee offered the following substitute to SB 173:

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 certain restrictions and conditions otherwise imposed on the exercise of such power;  
6 to repeal 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 and within 75 feet of a permanent easement for a pipeline  
22 right of way that existed on the effective date of this subparagraph; provided, however,  
23 that any portion of the acquired right of way for the additional pipeline may be  
24 noncontiguous to such pipeline right of way that existed on the effective date of this  
25 subparagraph if such portion is within one mile of such previously existing right of way  
26 and the petroleum pipeline company deems the noncontiguity is necessary for that

1 portion to avoid an environmentally sensitive area, a site listed on the National Register  
2 of Historic Places or the Georgia Register of Historic Places, or densely developed  
3 residential or commercial areas. Nothing in this subparagraph shall exempt any  
4 pipeline company from any applicable provisions of this title other than this article.

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

9 **SECTION 2.**

10 All laws and parts of laws in conflict with this Act are repealed.