

The House Committee on Energy, Utilities and Telecommunications offers the following substitute to SB 191:

A BILL TO BE ENTITLED
AN ACT

1 To amend Titles 12 and 22 of the Official Code of Georgia Annotated, relating to
2 conservation and natural resources and eminent domain, respectively, so as to provide for the
3 regulation and permitting of petroleum pipelines and petroleum marine terminals in this state;
4 to provide for definitions; to provide for the issuance of certain permits by the director of the
5 Environmental Protection Division of the Department of Natural Resources; to provide for
6 appeals of the decision of the director; to require certain notices; to provide for the Board of
7 Natural Resources to promulgate certain rules and regulations; to place conditions on the use
8 of eminent domain for new construction and extension of petroleum pipelines; to provide for
9 the issuance of certificates of public convenience and necessity by the commissioner of
10 transportation under certain circumstances; to provide for appeals of the decision of the
11 commissioner of transportation; to require certain notices; to provide for the Department of
12 Transportation to promulgate certain rules and regulations; to provide for related matters; to
13 provide for effective dates; to repeal conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15 **SECTION 1.**

16 Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural
17 resources, is amended by adding a new chapter to read as follows:

18 "CHAPTER 17

19 12-17-1.

20 As used in this chapter, the term:

21 (1) 'Board' means the Board of Natural Resources.

22 (2) 'Director' means the director of the Environmental Protection Division of the
23 Department of Natural Resources.

24 (3) 'Division' means the Environmental Protection Division within the Department of
 25 Natural Resources.

26 (4) 'Existing petroleum pipeline' means a petroleum pipeline constructed and in use prior
 27 to January 1, 2016.

28 (5) 'Expansion' means a modification to an existing petroleum pipeline within the
 29 existing easement or right of way that increases the supply of petroleum by:

30 (A) Increasing the diameter of an existing petroleum pipeline; or

31 (B) Constructing a parallel petroleum pipeline.

32 (6) 'Extension' means a modification to an existing petroleum pipeline that increases the
 33 length or footprint of the existing petroleum pipeline by a distance greater than one linear
 34 mile.

35 (7) 'Maintenance' means:

36 (A) The care or upkeep of an existing petroleum pipeline and its appurtenances;

37 (B) The replacement of an existing petroleum pipeline within the same easement or
 38 right of way; or

39 (C) The relocation of an existing petroleum pipeline for repair within one linear mile
 40 of the existing petroleum pipeline's alignment.

41 (8) 'New petroleum pipeline' means a petroleum pipeline that was not constructed and in
 42 use prior to January 1, 2016. The term 'new petroleum pipeline' shall not include an
 43 expansion, an extension, or any maintenance.

44 (9) 'Parallel petroleum pipeline' means a petroleum pipeline that runs side by side to an
 45 existing petroleum pipeline.

46 (10) 'Petroleum pipeline' means a fixed conduit constructed to transport petroleum or
 47 petroleum products in or through this state.

48 (11) 'Petroleum pipeline company' means a corporation organized under the laws of this
 49 state or which is organized under the laws of another state and is authorized to do
 50 business in this state and which is specifically authorized by its charter or articles of
 51 incorporation to construct and operate petroleum pipelines for the transportation of
 52 petroleum and petroleum products.

53 12-17-2.

54 On or after July 1, 2017, any construction of a new petroleum pipeline or an extension in
 55 this state shall require a permit from the director as provided in this chapter. Such permit
 56 shall be required without regard to whether the petroleum pipeline company intends to
 57 exercise any power of eminent domain pursuant to Article 4 of Chapter 3 of Title 22 and
 58 shall be in addition to any other permits or authorization required under this title or any
 59 other provision of state or federal law.

60 12-17-3.

61 (a) Any application to the division for a permit under this chapter shall contain, at a
 62 minimum, the following:

63 (1) Siting information, including, but not limited to, a map showing the proposed
 64 location of the route of the new petroleum pipeline or of the extension;

65 (2) Information obtained from a cultural resource assessment conducted along the
 66 proposed route of the new petroleum pipeline or of the extension;

67 (3) Information as to geological and hydrologic features along the proposed route of the
 68 new petroleum pipeline or of the extension;

69 (4) Information on the presence of threatened and endangered species along the proposed
 70 route of the new petroleum pipeline or of the extension;

71 (5) Evidence of financial responsibility by the petroleum pipeline company; and

72 (6) Any other information that the board may require by rules and regulations.

73 (b) Within ten days of applying for a permit, the applicant shall provide:

74 (1) Public notice in the legal organ of each county through which the proposed route of
 75 the new petroleum pipeline or of the extension is to be located; and

76 (2) Written notice of the filing of an application under this Code section to all
 77 landowners whose property is located on the proposed route of the new petroleum
 78 pipeline or of the extension, abuts either side of the proposed route of the new petroleum
 79 pipeline or of the extension, or contains a residence that is located within 150 feet of the
 80 proposed route of the new petroleum pipeline or of the extension. Such notice shall be
 81 delivered to each landowner and contain the following language in boldface type:

82 'AN APPLICATION FOR A PERMIT HAS BEEN FILED PURSUANT TO
 83 CHAPTER 17 OF TITLE 12 OF THE OFFICIAL CODE OF GEORGIA
 84 ANNOTATED FOR A PROPOSED ROUTE OF A NEW PETROLEUM PIPELINE
 85 OR FOR A PROPOSED ROUTE OF A MODIFICATION OF AN EXISTING
 86 PETROLEUM PIPELINE. YOUR PROPERTY IS LOCATED ON THE PROPOSED
 87 ROUTE, ABUTS EITHER SIDE OF THE PROPOSED ROUTE, OR CONTAINS A
 88 RESIDENCE THAT IS LOCATED WITHIN 150 FEET OF THE PROPOSED
 89 PETROLEUM PIPELINE. CHAPTER 17 OF TITLE 12 AND ARTICLE 4 OF
 90 CHAPTER 3 OF TITLE 22 OF THE OFFICIAL CODE OF GEORGIA ANNOTATED
 91 PROVIDE SPECIFIC REQUIREMENTS WHICH MUST BE FOLLOWED BY
 92 PETROLEUM PIPELINE COMPANIES BEFORE THEY MAY BUILD A NEW
 93 PETROLEUM PIPELINE OR MODIFY AN EXISTING PETROLEUM PIPELINE.
 94 THESE PROVISIONS OF THE OFFICIAL CODE OF GEORGIA ANNOTATED
 95 ALSO PROVIDE SPECIFIC RIGHTS FOR YOUR PROTECTION. YOU SHOULD

96 FAMILIARIZE YOURSELF WITH THOSE REQUIREMENTS AND YOUR
97 RIGHTS.'

98 12-17-4.

99 (a) In making the decision as to whether to grant any permits as required by this chapter,
100 the director shall determine whether the location and construction of the portion of the
101 petroleum pipeline for which the permit is sought are consistent with and not an undue
102 hazard to the environment and natural resources of this state after consideration of the
103 following factors:

104 (1) The information required to be contained in the petroleum pipeline company's
105 application under Code Section 12-17-3;

106 (2) The direct environmental impacts of the proposed new petroleum pipeline or the
107 proposed extension;

108 (3) Alternative alignments to the proposed new petroleum pipeline or the proposed
109 extension;

110 (4) Public comment; and

111 (5) Such other factors the director deems reasonable and applicable or that the board by
112 rules and regulations has established in order to protect the best interests of this state, its
113 citizens, and its natural resources.

114 (b) The applicant shall bear the burden of proof to demonstrate that the director should
115 issue a permit as provided under this chapter.

116 (c) The director's decision shall be based on the record before the director, which shall
117 include, but not be limited to, the applicant's submissions and written comments submitted
118 to the director.

119 12-17-5.

120 The approval and issuance of a permit shall not be subject to review. The denial of a
121 permit may be appealed to the superior court of the county in which the petroleum pipeline
122 company has an agent and place of doing business. The appeal shall be by petition filed
123 within 30 days of the date of disapproval of the application and shall be heard by a judge
124 of the superior court de novo without a jury.

125 12-17-6.

126 No later than July 1, 2018, the board shall, pursuant to Chapter 13 of Title 50, the 'Georgia
127 Administrative Procedure Act,' promulgate such rules and regulations as are necessary and
128 reasonable for purposes of enforcement of this chapter, which shall include, but may not
129 be limited to, the following:

- 130 (1) The submission of a permit application and provisions for the application review
 131 process, not to exceed 120 days in length;
 132 (2) Provisions for a nonrefundable application fee not to exceed \$5,000.00 which shall
 133 be sufficient to defray the administrative costs of review of the application by the division
 134 and of the cost to the division of monitoring and inspection of compliance with any such
 135 permit that may be issued;
 136 (3) Reasonable public notice of the filing of an application of a permit to an owner of
 137 property who, after reasonable efforts, cannot personally be given the notice required in
 138 subsection (b) of Code Section 12-17-3;
 139 (4) Provisions for public meetings to be held prior to any action on any permits; and
 140 (5) Evidence of financial responsibility as required pursuant to paragraph (5) of
 141 subsection (a) of Code Section 12-17-3."

142 **SECTION 2.**

143 Said title is further amended by adding a new chapter to read as follows:

144 "CHAPTER 18

145 12-18-1.

146 As used in this chapter, the term:

- 147 (1) 'Board' means the Board of Natural Resources.
 148 (2) 'Director' means the director of the Environmental Protection Division of the
 149 Department of Natural Resources.
 150 (3) 'Division' means the Environmental Protection Division within the Department of
 151 Natural Resources.
 152 (4) 'Existing petroleum marine terminal' means a petroleum marine terminal constructed
 153 and in use prior to January 1, 2017, as such facility was configured as of January 1, 2017.
 154 (5) 'Extension' means a modification to an existing petroleum marine terminal that
 155 increases the storage capacity of the existing petroleum marine terminal or increases the
 156 footprint of the existing petroleum marine terminal by more than 15 feet beyond the
 157 boundaries of the existing footprint in any direction.
 158 (6) 'Footprint' means the surface and subsurface area occupied by a petroleum marine
 159 terminal, including, but not limited to, any such area occupied by a storage tank, dock,
 160 wharf, petroleum pipeline, or loading rack facilities of the petroleum marine terminal as
 161 of a given point of time.
 162 (7) 'New petroleum marine terminal' means a petroleum marine terminal that was not
 163 constructed and in use prior to January 1, 2017.

164 (8) 'Petroleum marine terminal' means a facility in this state:

165 (A) Containing or intended to contain one or more above-ground or below-ground
 166 storage tanks for the storage of petroleum; and

167 (B) That receives or intends to receive petroleum offloaded from marine vessels,
 168 holding such petroleum in storage tanks, and delivering the petroleum held in such
 169 tanks to either another marine vessel, a tanker truck, or a petroleum pipeline for further
 170 transportation.

171 (9) 'Petroleum marine terminal company' means a corporation organized under the laws
 172 of this state or which is organized under the laws of another state and is authorized to do
 173 business in this state and which is specifically authorized by its charter or articles of
 174 incorporation to construct and operate one or more petroleum marine terminals.

175 12-18-2.

176 On or after July 1, 2017, any construction of a new petroleum marine terminal or an
 177 extension in this state shall require a permit from the director as provided in this chapter.
 178 Such permit shall be in addition to any other permits or authorization required under this
 179 title or any other provision of state or federal law.

180 12-18-3.

181 (a) Any application to the division for a permit under this chapter shall contain, at a
 182 minimum, the following:

183 (1) Siting information, including, but not limited to, the footprint of the new petroleum
 184 marine terminal or extension;

185 (2) Information obtained from a cultural resource assessment conducted within the
 186 footprint of the new petroleum marine terminal or extension;

187 (3) Information as to geological and hydrologic features within the footprint of the new
 188 petroleum marine terminal or extension;

189 (4) Information on the presence of threatened and endangered species within the
 190 footprint of the new petroleum marine terminal or extension;

191 (5) Evidence of financial responsibility by the petroleum marine terminal company; and

192 (6) Any other information that the board may require by rules and regulations.

193 (b) Within ten days of applying for a permit, the applicant shall provide:

194 (1) Public notice in the legal organ of the county in which the proposed footprint of the
 195 new petroleum marine terminal or of the extension is to be located; and

196 (2) Written notice of the filing of an application under this Code section to all
 197 landowners whose property is located within the proposed footprint of the new petroleum
 198 marine terminal or of the extension, abuts either side of the proposed footprint of the new

199 petroleum marine terminal or of the extension, or contains a residence that is located
 200 within 150 feet of the proposed footprint of the new petroleum marine terminal or of the
 201 extension. Such notice shall be delivered to each landowner and contain the following
 202 language in boldface type:

203 'AN APPLICATION FOR A PERMIT HAS BEEN FILED PURSUANT TO
 204 CHAPTER 17 OF TITLE 12 OF THE OFFICIAL CODE OF GEORGIA
 205 ANNOTATED FOR A PROPOSED AREA OF A NEW PETROLEUM MARINE
 206 TERMINAL OR FOR A PROPOSED AREA OF A MODIFICATION OF AN
 207 EXISTING PETROLEUM MARINE TERMINAL. YOUR PROPERTY IS
 208 LOCATED WITHIN THE PROPOSED AREA, ABUTS EITHER SIDE OF THE
 209 PROPOSED AREA, OR CONTAINS A RESIDENCE THAT IS LOCATED WITHIN
 210 150 FEET OF THE PROPOSED AREA OF THE PETROLEUM MARINE
 211 TERMINAL. CHAPTER 17 OF TITLE 12 AND ARTICLE 4 OF CHAPTER 3 OF
 212 TITLE 22 OF THE OFFICIAL CODE OF GEORGIA ANNOTATED PROVIDE
 213 SPECIFIC REQUIREMENTS WHICH MUST BE FOLLOWED BY PETROLEUM
 214 MARINE TERMINAL COMPANIES BEFORE THEY MAY BUILD A NEW
 215 PETROLEUM MARINE TERMINAL OR MODIFY AN EXISTING PETROLEUM
 216 MARINE TERMINAL. THESE PROVISIONS OF THE OFFICIAL CODE OF
 217 GEORGIA ANNOTATED ALSO PROVIDE SPECIFIC RIGHTS FOR YOUR
 218 PROTECTION. YOU SHOULD FAMILIARIZE YOURSELF WITH THOSE
 219 REQUIREMENTS AND YOUR RIGHTS.'

220 12-18-4.

221 (a) In making the decision as to whether to grant any permits as required by this chapter,
 222 the director shall determine whether the location and construction of the petroleum marine
 223 terminal for which the permit is sought are consistent with and not an undue hazard to the
 224 environment and natural resources of this state after consideration of the following factors:

225 (1) The information required to be contained in the petroleum marine terminal company's
 226 application under Code Section 12-18-3;

227 (2) The direct environmental impacts of the proposed new petroleum marine terminal or
 228 the proposed extension;

229 (3) Alternative sites for the proposed new petroleum marine terminal or the proposed
 230 extension;

231 (4) Public comment; and

232 (5) Such other factors the director deems reasonable and applicable or that the board by
 233 rules and regulations has established in order to protect the best interests of this state, its
 234 citizens, and its natural resources.

235 (b) The applicant shall bear the burden of proof to demonstrate that the director should
 236 issue a permit as provided under this chapter.

237 (c) The director's decision shall be based on the record before the director, which shall
 238 include, but not be limited to, the applicant's submissions and written comments submitted
 239 to the director.

240 12-18-5.

241 The approval and issuance of a permit shall not be subject to review. The denial of a permit
 242 may be appealed to the superior court of the county in which the petroleum marine terminal
 243 company has an agent and place of doing business. The appeal shall be by petition filed
 244 within 30 days of the date of disapproval of the application and shall be heard by a judge
 245 of the superior court de novo without a jury.

246 12-18-6.

247 No later than July 1, 2018, the board shall, pursuant to Chapter 13 of Title 50, the 'Georgia
 248 Administrative Procedure Act,' promulgate such rules and regulations as are necessary and
 249 reasonable for purposes of enforcement of this chapter, which shall include, but may not
 250 be limited to, the following:

251 (1) The submission of a permit application and provisions for the application review
 252 process, not to exceed 120 days in length;

253 (2) Provisions for a nonrefundable application fee not to exceed \$5,000.00 which shall
 254 be sufficient to defray the administrative costs of review of the application by the division
 255 and of the cost to the division of monitoring and inspection of compliance with any such
 256 permit that may be issued;

257 (3) Reasonable public notice of the filing of an application of a permit to an owner of
 258 property who, after reasonable efforts, cannot personally be given the notice required in
 259 subsection (b) of Code Section 12-18-3;

260 (4) Provisions for public meetings to be held prior to any action on any permits; and

261 (5) Evidence of financial responsibility as required pursuant to paragraph (5) of
 262 subsection (a) of Code Section 12-18-3."

263 **SECTION 3.**

264 Title 22 of the Official Code of Georgia Annotated, relating to eminent domain, is amended
 265 in Chapter 3, relating to the exercise of power of eminent domain for special purposes, by
 266 repealing Article 4, relating to the construction, operation, etc., of petroleum pipelines, and
 267 enacting a new Article 4 to read as follows:

268

"ARTICLE 4269 22-3-80.270 As used in this article, the term:271 (1) 'Existing petroleum pipeline' shall have the same meaning as set forth in Code
272 Section 12-17-1.273 (2) 'Expansion' shall have the same meaning as set forth in Code Section 12-17-1.274 (3) 'Extension' shall have the same meaning as set forth in Code Section 12-17-1.275 (4) 'Maintenance' shall have the same meaning as set forth in Code Section 12-17-1.276 (5) 'New petroleum pipeline' shall have the same meaning as set forth in Code Section
277 12-17-1.278 (6) 'Parallel petroleum pipeline' shall have the same meaning as set forth in Code Section
279 12-17-1.280 (7) 'Petroleum pipeline' shall have the same meaning as set forth in Code
281 Section 12-17-1.282 (8) 'Petroleum pipeline company' shall have the same meaning as set forth in
283 Code Section 12-17-1.284 22-3-81.285 Subject to the provisions, conditions, and restrictions of this article, petroleum pipeline
286 companies are granted the power to acquire property or interests in property by eminent
287 domain for the purpose of an expansion, an extension, maintenance, or construction of a
288 new petroleum pipeline.289 22-3-82.290 A petroleum pipeline company shall not exercise the power of eminent domain granted in
291 Code Section 22-3-81 for the purpose of constructing a new petroleum pipeline or for
292 extension unless and until a certificate of public convenience and necessity is issued by the
293 commissioner of transportation as provided in Code Section 22-3-83 and a permit is issued
294 by the director of the Environmental Protection Division of the Department of Natural
295 Resources as provided in Chapter 17 of Title 12. No such certificate of public convenience
296 and necessity or permit shall be required of a petroleum pipeline company exercising the
297 power of eminent domain for the purpose of maintenance or expansion.298 22-3-83.299 (a) On or after July 1, 2017, a petroleum pipeline company desiring to use the power of
300 eminent domain, granted under this article, to acquire property for a new petroleum

301 pipeline or an extension shall be required to obtain a certificate of public convenience and
 302 necessity from the commissioner of transportation as provided in this Code section.

303 (b) Any application for a certificate of public convenience and necessity shall contain, at
 304 a minimum:

305 (1) A description of the proposed project together with its siting information, including,
 306 but not limited to, a map showing the proposed location of the route of the new petroleum
 307 pipeline or of the proposed extension;

308 (2) A description of the public convenience and necessity that support the proposed
 309 location of the route of the new petroleum pipeline or of the proposed extension;

310 (3) The width of the proposed petroleum pipeline corridor up to a maximum width of
 311 one-third mile;

312 (4) A showing that the use of the power of eminent domain may be necessary for
 313 construction of the new petroleum pipeline or for the proposed extension;

314 (5) A showing that the public necessity for the petroleum pipeline justifies the use of the
 315 power of eminent domain; and

316 (6) Any other information that the Department of Transportation may require by rules
 317 and regulations.

318 (c) Within ten days of applying for a certificate of public convenience and necessity, the
 319 applicant shall provide:

320 (1) Public notice in the legal organ of each county through which the proposed route of
 321 the new petroleum pipeline or of the extension is to be located; and

322 (2) Written notice of the filing of an application under this Code section to all
 323 landowners whose property is located within the proposed route of the new petroleum
 324 pipeline or of the extension. Such notice shall be delivered to each landowner and
 325 contain the following language in boldface type:

326 'YOUR PROPERTY IS LOCATED WITHIN THE PROPOSED ROUTE OF A
 327 PROPOSED PETROLEUM PIPELINE FOR WHICH AN APPLICATION FOR A
 328 CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY HAS BEEN
 329 FILED PURSUANT TO ARTICLE 4 OF CHAPTER 3 OF TITLE 22 OF THE
 330 OFFICIAL CODE OF GEORGIA ANNOTATED. SAID ARTICLE ALONG WITH
 331 CHAPTER 17 OF TITLE 12 OF THE OFFICIAL CODE OF GEORGIA
 332 ANNOTATED PROVIDE SPECIFIC REQUIREMENTS WHICH MUST BE
 333 FOLLOWED BY PETROLEUM PIPELINE COMPANIES BEFORE THEY MAY
 334 BUILD A NEW PETROLEUM PIPELINE OR MODIFY AN EXISTING
 335 PETROLEUM PIPELINE. THESE PROVISIONS OF THE OFFICIAL CODE OF
 336 GEORGIA ANNOTATED ALSO PROVIDE SPECIFIC RIGHTS FOR YOUR

337 PROTECTION. YOU SHOULD FAMILIARIZE YOURSELF WITH THOSE
 338 REQUIREMENTS AND YOUR RIGHTS.'

339 (d)(1) In making the decision as to whether to grant any certificates of public
 340 convenience and necessity, the commissioner of transportation shall consider the
 341 following:

342 (A) Whether the petroleum pipeline company has demonstrated a demand for the
 343 transportation services to be provided by the new petroleum pipeline or the proposed
 344 extension;

345 (B) Whether the petroleum pipeline company has demonstrated a demand in the
 346 markets to be served by the new petroleum pipeline or the proposed extension for the
 347 volume of petroleum to be transported; and

348 (C) The financial ability of the applicant to furnish adequate continuous service and to
 349 meet the financial obligations of the service which the applicant proposes to perform.

350 (2) The approval and issuance of a certificate of public convenience and necessity shall
 351 not be subject to review. The denial of a certificate of public convenience and necessity
 352 may be appealed to the superior court of the county in which the petroleum pipeline
 353 company has an agent and place of doing business. The appeal shall be by petition filed
 354 within 30 days of the date of disapproval of the application and shall be heard by a judge
 355 of the superior court de novo without a jury.

356 (e) No later than July 1, 2018, the Department of Transportation shall, pursuant to Chapter
 357 13 of Title 50, the 'Georgia Administrative Procedure Act,' promulgate such rules and
 358 regulations as are necessary and reasonable for purposes of enforcement of this Code
 359 section, which shall include, but may not be limited to:

360 (1) The submission of an application for a certificate of public convenience and necessity
 361 and provisions for the application review process, not to exceed 120 days in length;

362 (2) Provisions for a nonrefundable application fee not to exceed \$5,000.00 which shall
 363 be sufficient to defray the administrative costs of review of the application by the
 364 Department of Transportation;

365 (3) Reasonable public notice of the filing of an application for a certificate of public
 366 convenience and necessity to an owner of property who, after reasonable efforts, cannot
 367 personally be given the notice required in subsection (c) of this Code section; and

368 (4) Provisions for public meetings to be held prior to any action on any certificates of
 369 public convenience and necessity.

370 22-3-84.

371 Prior to initiating eminent domain proceedings or threatening to do so, the petroleum
 372 pipeline company shall cause to be delivered to each landowner whose property may be
 373 condemned a written notice containing the following language in boldface type:

374 'CHAPTER 17 OF TITLE 12 AND ARTICLE 4 OF CHAPTER 3 OF TITLE 22 OF THE
 375 OFFICIAL CODE OF GEORGIA ANNOTATED PROVIDE SPECIFIC
 376 REQUIREMENTS WHICH MUST BE FOLLOWED BY PETROLEUM PIPELINE
 377 COMPANIES BEFORE THEY MAY EXERCISE THE RIGHT TO CONDEMN YOUR
 378 PROPERTY. THOSE PROVISIONS OF THE OFFICIAL CODE OF GEORGIA
 379 ANNOTATED ALSO PROVIDE SPECIFIC RIGHTS FOR YOUR PROTECTION.
 380 YOU SHOULD FAMILIARIZE YOURSELF WITH THOSE REQUIREMENTS AND
 381 YOUR RIGHTS PRIOR TO CONTINUING NEGOTIATIONS CONCERNING THE
 382 SALE OF YOUR PROPERTY TO A PETROLEUM PIPELINE COMPANY.'

383 22-3-85.

384 When a petroleum pipeline company that has met all the requirements of this article is
 385 unable to acquire the property or interest required for the purpose of an expansion, an
 386 extension, maintenance, or construction of a new petroleum pipeline, after reasonable
 387 negotiation with the owner of such property or interest, the petroleum pipeline company
 388 may acquire such property or interest by the use of the condemnation procedures
 389 authorized by Chapter 2 of this title."

390 **SECTION 4.**

391 For purposes of proposing rules and regulations, this Act shall become effective upon its
 392 approval by the Governor or upon its becoming law without such approval. For all other
 393 purposes, this Act shall become effective on July 1, 2017.

394 **SECTION 5.**

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