

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

HOUSE BILL 1757

By: Representative Hutchison

For An Act To Be Entitled

AN ACT TO REGULATE ELECTRIC UTILITIES AND THE EMINENT
DOMAIN AUTHORITY OF ELECTRIC UTILITIES; AND FOR OTHER
PURPOSES.

Subtitle

TO REGULATE ELECTRIC UTILITIES AND THE
EMINENT DOMAIN AUTHORITY OF ELECTRIC
UTILITIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 18-15-502 is amended to read as follows:
18-15-502. Exception.

(a) No action to condemn the right-of-way over, upon, or along any street or alley in any city or incorporated town shall be instituted or maintained by an electric utility as against any city or incorporated town.

(b) An electric utility shall not exercise the power of eminent domain granted by this subchapter for a project of an electric utility unless at least twenty-five percent (25%) of the energy generated by the project is consumed within the State of Arkansas.

SECTION 2. Arkansas Code § 18-15-503, concerning powers of electric utilities, is amended to add an additional subsection to read as follows:

(d) The powers granted by this section shall not be exercised for a project of an electric utility unless at least twenty-five percent (25%) of the energy generated by the project is consumed within the State of Arkansas.



SECTION 3. Arkansas Code § 18-15-507, concerning damages for an electric utility's condemnation of land or right-of-way, is amended to add an additional subsection to read as follows:

(d) An award of damages under this section shall include an annual payment for the loss of the value of crops to land that is used for agricultural purposes.