

By Senator Bennett

21-806-04

1 A bill to be entitled
2 An act relating to natural gas companies;
3 amending s. 361.05, F.S.; providing that
4 chapters 73 and 74, F.S., which govern actions
5 in eminent domain, apply to natural gas
6 transmission pipeline companies that are
7 subject to regulation under the federal Natural
8 Gas Act; providing an effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Section 361.05, Florida Statutes, is
13 amended to read:

14 361.05 Right of eminent domain to natural gas
15 companies.--Any corporation or other business entity organized
16 under the laws of this state, or by virtue of the laws of any
17 other state, and qualified to do business in this state, for
18 the purpose of supplying any city, town, village or the
19 inhabitants thereof, or any community with natural gas for
20 domestic or industrial purposes, including any natural gas
21 transmission pipeline company that has received certification
22 under ss. 403.9401-403.9425 or is subject to regulation under
23 the federal Natural Gas Act, 17 U.S.C. s. 717, shall have the
24 right of eminent domain and may use the provisions of chapters
25 73 and 74 to lay its pipelines and works; to cause such
26 examinations and surveys for the proposed pipelines to be made
27 as shall be necessary for the selection of the most
28 advantageous routes; to enter upon any land, public or
29 private, necessary to the business contemplated in its
30 charter; to construct its pipelines across, over, under,
31 along, and upon any stream of water, watercourse, canal, lake,

1 bay, gulf, road, street, highway, railroad, and transmission
2 line; to take from any land most convenient to its pipelines
3 and works, any timber, stone, earth, water, or other material
4 which may be necessary to the construction, operation, keeping
5 in repair, or preservation of its pipelines, works, and
6 improvements, upon making due compensation according to law to
7 private owners, with such reservation, if any, of oil, gas,
8 and mineral rights as those owners may determine. If, in
9 order to make repairs to or to relocate any tracks of any
10 railroad or for the performance of any work of construction or
11 reconstruction by any railroad upon its right-of-way, it
12 becomes necessary to relocate temporarily or permanently any
13 natural gas pipeline constructed upon any railroad
14 right-of-way, such work incident to the relocation of such
15 natural gas pipeline shall be performed, and the expense
16 borne, by the company owning or operating that pipeline.

17 Section 2. This act shall take effect upon becoming a
18 law.

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21 SENATE SUMMARY

22 Specifies that natural gas transmission pipeline
23 companies subject to regulation under the federal Natural
Gas Act may exercise the right of eminent domain.

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