

State Corporation Commission 2019 Fiscal Impact Statement

1. Bill Number: HB2112

House of Origin	<input checked="" type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Enrolled

2. Patron: Hurst

3. Committee: Commerce and Labor

4. Title: Natural gas companies; right of entry upon property.

5. Summary: Curtails the ability of a natural gas company to enter upon real property to conduct surveys and other tests for its proposed line or the location of facilities by requiring that entry for the selection of a route or facility location be for public use. The measure defines "public use" as existing if the general public has a right to a certain and definite use of a private property on terms and for charges fixed by law, and the owner of the property is compelled by law to permit the general public to enjoy it or its services, and further requires that any pipeline be obligated to serve the general public and be regulated in such obligation and to distribute gas to regulated public utilities or to natural gas distribution systems within the Commonwealth. The measure also (i) establishes a procedure for a landowner to obtain a temporary injunction against entry by a natural gas company in certain circumstances; (ii) authorizes a landowner who demonstrates that a natural gas company entered or attempted to enter the landowner's real property in violation of applicable requirements or violated such requirements by breaching any agreement reached pursuant to such requirements to recover a trespass penalty of \$500 per day per individual entering or attempting to enter the property or per individual granted permission to enter pursuant to agreement; (iii) authorizes the landowner or his agent to accompany surveyors and record or photograph survey activities; (iv) requires any notice of intent to enter to set forth the time and location where the first entry will occur and the surveys' duration; and (v) requires any request for permission to inspect to be sent at least 21 days prior to any notice of intent to enter and include a description of each type of survey and each entity/agent to perform the survey.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: No fiscal impact on the State Corporation Commission

8. Fiscal Implications: None on the State Corporation Commission.

9. Specific Agency or Political Subdivisions Affected: None

10. Technical Amendment Necessary: No.

11. Other Comments: None.

A. Macgill, 1/11/19