

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3627S.07A
Bill No.: SS for HCS for HB 2005, as amended
Subject: Cooperatives; Corporations; Eminent Domain and Condemnation; Utilities
Type: Original
Date: May 5, 2022

Bill Summary: Modifies provisions relating to eminent domain for certain utilities.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on FTE	0	0	0

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Due to time constraints, **Oversight** was unable to receive some agency responses in a timely manner and performed limited analysis. Oversight has presented this fiscal note on the best current information that we have or on information regarding a similar bill(s). Upon the receipt of agency responses, Oversight will review to determine if an updated fiscal note should be prepared and seek approval to publish a new fiscal note.

In response to a previous version, officials from the **Missouri Department of Transportation**, the **Department of Commerce and Insurance**, the **Department of Natural Resources** and the **Missouri Department of Conservation**, and the **Attorney General's Office**, the **Office of Administration**, the **Hancock Street Light District**, the **Metropolitan St. Louis Sewer District**, the **South River Drainage District** and the **Wayne County Pwsd** each assumed the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

SEQ CHAPTER 10 Oversight only reflects the responses received from state agencies and political subdivisions; however, other utilities were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information system (MOLIS) database is available upon request.

Oversight assumes this proposal could impact the Grain Belt Express project in northern Missouri and other future projects. According to a report by the Public Service Commission (File No. EM-2019-0150), the Grain Belt Express Project line is "sited to traverse Buchanan, Clinton Caldwell, Carroll, Chariton, Randolph, Monroe and Ralls Counties, Missouri. The Grain Belt Express Project covers approximately 780 miles, and the project will primarily use a pole design which has a smaller footprint than traditional alternating current transmission lines. The structures will occupy ten acres for the entire state of Missouri." The Joint Application of Invenegy Transmission LLC, Invenegy Investment Company LLC, Grain Belt Express Clean Line LLC and Grain Belt Express Holding LLC for an Order Approving the Acquisition by Invenegy Transmission LLC of Grain Belt Express Clean Line LLC was approved by the PSC effective June 30, 2019.

Oversight notes modifying provisions relating to the power of eminent domain for utility purposes could have a large impact on current and future utility projects.

Senate Amendment 2

Oversight assumes Senate Amendment 2 modifies provisions relating to condemnation of property of certain electrical corporations. As noted above, Oversight assumes modifying

provisions relating to the power of eminent domain for utility purposes could have a large impact on utility projects.

SEQ CHAPTER \h \r 1

<u>FISCAL IMPACT – State Government</u>	FY 2023 (10 Mo.)	FY 2024	FY 2025
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2023 (10 Mo.)	FY 2024	FY 2025
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

Small businesses that are impacted by eminent domain could be impacted by this proposal.

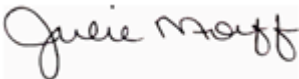
FISCAL DESCRIPTION

This proposal modifies provisions related to eminent domain for certain utilities.

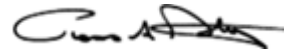
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Attorney General's Office
Department of Commerce and Insurance
Department of Natural Resources
Missouri Department of Transportation
Office of Administration
Metropolitan St. Louis Sewer District
South River Drainage District
Wayne County Pwsd
Hancock Street Light District



Julie Morff
Director
May 5, 2022



Ross Strope
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May 5, 2022