

KANSAS OFFICE *of*
REVISOR *of* STATUTES

LEGISLATURE *of* THE STATE *of* KANSAS

Legislative Attorneys transforming ideas into legislation.

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MEMORANDUM

To: Chairman Masterson and Members of Committee on Utilities
From: Office of Revisor of Statutes
Date: March 10, 2020
RE: Senate Bill 395

SB 395 would amend K.S.A. 17-618 concerning eminent domain. Under current law, land may be appropriated by corporations for the use of road construction, hospital corporations, telephone companies, electric companies, gas companies, oil and pipeline companies, irrigation, milling and manufacturing corporations using power, conduct compressed air in pipes, and other uses.

SB 395 would add carbon dioxide in pipes as one of the uses for which a company could use eminent domain to acquire the necessary right or right-of-way for the placement of any such pipes.

The statutes in the eminent domain procedure act, K.S.A. 26-501 through 26-519, establish the restrictions and process for the use of eminent domain to appropriate private property for such uses. This act includes provisions for notice requirements, determination of an eminent domain proceeding and the appeals process, appraisers, and payment for the taking of private property and appeals.