

SENATE BILL NO. 2212

Introduced by

Senator Magrum

Representative Prichard

1 ~~A BILL for an Act to amend and reenact subsection 10 of section 32-15-02 and section 49-19-12~~
 2 ~~of the North Dakota Century Code, relating to eminent domain and carbon dioxide pipelines;~~
 3 ~~and to declare an emergency.~~ for an Act to amend and reenact section 49-22.1-03 of the North
 4 Dakota Century Code, relating to avoidance areas for carbon dioxide pipelines.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 ~~— **SECTION 1. AMENDMENT.** Subsection 10 of section 32-15-02 of the North Dakota~~
 7 ~~Century Code is amended and reenacted as follows:~~

8 ~~— 10. Oil, gas, and coal, and carbon dioxide pipelines and works and plants for supplying or~~
 9 ~~conducting gas, oil, coal, carbon dioxide, heat, refrigeration, or power for the use of~~
 10 ~~any county, city, or the inhabitants thereof, together with lands, buildings, and all other~~
 11 ~~improvements in or upon which to erect, install, place, maintain, use, or operate~~
 12 ~~pumps, stations, tanks, and other machinery or apparatus, and buildings, works, and~~
 13 ~~plants for the purpose of generating, refining, regulating, compressing, transmitting, or~~
 14 ~~distributing the same, or necessary for the proper development and control of such~~
 15 ~~gas, oil, coal, carbon dioxide, heat, refrigeration, or power, either at the time of the~~
 16 ~~taking of said property or for the future proper development and control thereof.~~

17 ~~— **SECTION 2. AMENDMENT.** Section 49-19-12 of the North Dakota Century Code is~~
 18 ~~amended and reenacted as follows:~~

19 ~~— **49-19-12. When pipeline carrier may exercise right of eminent domain.**~~

20 ~~— Every~~ Except for carbon dioxide carriers, every ~~common pipeline carrier which shall have~~
 21 ~~filed with the commission its acceptance of the provisions of this chapter has, subject to chapter~~
 22 ~~32-15, the right and power of eminent domain in the exercise of which it may enter upon and~~
 23 ~~condemn the land, right of way, easements, and property of any person necessary for the~~
 24 ~~construction, maintenance, or authorization of its pipeline. The manner and method of such~~