Session of 2025

HOUSE BILL No. 2148

By Representatives Waymaster and Moser

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AN ACT concerning electric transmission lines; relating to the state corporation commission; prohibiting the permitting of transmission lines located within any territory designated by the United States department of energy as a national interest electric transmission corridor; prohibiting the exercise of eminent domain in any such territory except under limited circumstances; amending K.S.A. 66-1,178 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) The state corporation commission shall not authorize any electric public utility to apply for or obtain a transmission line siting permit pursuant to K.S.A. 66-1,177 et seq., and amendments thereto, if the proposed electric transmission lines would be located in a national interest electric transmission corridor.

(b) Except as provided in subsection (c), no electric public utility shall exercise the power of eminent domain pursuant to K.S.A. 17-618, and amendments thereto, or section 216(e) of the federal power act, for the purpose of constructing electric transmission lines in a national interest electric transmission corridor.

(c) This section shall not prohibit an electric public utility from exercising the power of eminent domain for the construction of electric transmission lines in a national interest electric transmission corridor if such electric transmission lines were authorized pursuant to a transmission line siting permit that was approved by the state corporation commission prior to designation of such national interest electric transmission corridor by the United States department of energy pursuant to section 216(a)(2) of the federal power act.

(d) As used in the section:

(1) "Electric transmission lines" means the same as defined in K.S.A. 66-1,177, and amendments thereto.

(2) "National interest electric transmission corridor" means any territory designated as a national interest electric transmission corridor pursuant to a national interest electric transmission corridor designation report issued by the United States department of energy pursuant to section 216(a)(2) of the federal power act.

Sec. 2. K.S.A. 66-1,178 is hereby amended to read as follows: 66-

1,178. (a) No electric utility may begin site preparation for or construction of an electric transmission line, or exercise the right of eminent domain to acquire any interest in land in connection with the site preparation for a construction of any such line without first acquiring a siting permit from the commission. *Except as provided in section 1, and amendments thereto,* whenever any electric utility desires to obtain such a permit, the utility shall file an application with the commission setting forth therein that the utility proposes to construct an electric transmission line and specifying:

(1) The proposed location thereof;

(2) the names and addresses of the landowners of record whose land or interest therein is proposed to be acquired in connection with the construction of or is located within 660 feet of the center line of the easement where the line is proposed to be located; and

(3) such other information as may be required by the commission.

(b) Upon the filing of an application pursuant to subsection (a), the commission shall fix a time for a public hearing on such application, which shall be not more than 90 days after the date the application was filed, to determine the necessity for and the reasonableness of the location of the proposed electric transmission line. The commission shall fix the place for hearing, which shall be in one of the counties through which the electric transmission line is proposed to traverse.

(c) The commission may conduct an evidentiary hearing on an application filed pursuant to this section at such time and place as the commission deems appropriate.

(d) The commission shall issue a final order on the application within 120 days after the date the application was filed.

Sec. 3. K.S.A. 66-1,178 is hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.