



Kansas Legislative Research Department

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To: Senate Committee on Utilities

From: Lindsay Archer, Research Analyst

Re: Right of First Refusal for Transmission Lines – A Look at Other States

The following table provides information on right of first refusal (ROFR) legislation and statutes in other states. Of the states researched, ten states have ROFR laws with seven (Iowa, Montana, Nebraska, North Dakota, Oklahoma, South Dakota, and Texas) of those in the Southwest Power Pool. Two states currently have ROFR legislation pending: Oklahoma’s SB 498 would strengthen the existing ROFR statute, and Indiana’s HB 1420.

State	Bill/Statute	Date	RTO/ISO	Note
Texas	SB 1938	03/05/19	SPP/ERCOT/ MISO	
Oklahoma	HB 1932	05/29/13	SPP	300 kV and below in 2013 HB 1932 ; Current bill: SB 498 to strengthen
Nebraska	HB 388	04/24/13	SPP	
South Dakota	SB 132	03/10/11	SPP/MISO	
North Dakota	HB 1382	04/08/15	SPP/MISO	
Montana	HB 297	03/20/17	SPP/MISO	
Iowa	HF 2643 ; Sec. 478.16	06/30/20	SPP/MISO	
Arkansas			SPP/MISO	
Missouri			SPP/MISO	HB 1811 and SB 1003 introduced in 2022 did not pass
Louisiana			SPP/MISO	
New Mexico			SPP	
Wyoming			SPP	
Minnesota	SF 1815	04/18/12	MISO/SPP	
Indiana	IC 8-1-38		MISO/PJM	Current bill: HB 1420
Wisconsin			MISO	SB 838 was introduced in 2021 did not pass
Michigan	SB 103	Effective: 12/17/2021	MISO/PJM	
Alabama	Ala. Code Sec. 37-4-150(e)	05/05/15	N/A	