

HOUSE BILL No. 2321

By Representatives Finney and Ellis

2-10

1 AN ACT concerning electric utilities; relating to the state corporation
2 commission; construction of urban electric transmission lines in cities;
3 requiring notice prior to construction.
4

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

6 Section 1. (a) No electric utility shall begin site preparation for or
7 construction of an urban electric transmission line or exercise the right of
8 eminent domain to acquire any interest in land in connection with the site
9 preparation or construction of any such line before such utility has:

10 (1) Provided notice of the preliminary construction plans to the city in
11 which such urban electric transmission line is proposed to be constructed,
12 and the notice shall:

13 (A) Be provided at least six months prior to any anticipated
14 construction; and

15 (B) provide the preliminary construction plans and show the proposed
16 location of all poles and shall provide the dimensions of all poles and
17 supporting facilities relative to existing streets, sight triangles at
18 intersections, easements and public rights-of-way and visual examples;
19 and

20 (2) obtained any necessary permits required by the city for
21 construction or work conducted in the public right-of-way.

22 (b) The provisions of this section shall not apply to construction or
23 repair of an urban electric transmission line that is necessary due to
24 damage caused by any storm, natural disaster or any other source of
25 physical damage to the line.

26 (c) All information required to be provided pursuant to this section
27 shall be provided to the infrastructure planning authority of the city in
28 which the urban electric transmission line is proposed to be constructed.

29 (d) Notwithstanding the provisions of any other law, except as
30 provided in subsection (b), the governing body of any city having a
31 population of 300,000 or more shall have authority to exercise zoning or
32 siting jurisdiction, authority or control over the construction of an urban
33 electric transmission line.

34 (e) For purposes of this section:

35 (1) "Electric utility" means any electric utility as defined in K.S.A.
36 66-101a, and amendments thereto. "Electric utility" does not mean any

1 municipal utility or electric cooperative as defined in K.S.A. 66-104d, and
2 amendments thereto.

3 (2) "Urban electric transmission line" means any line or extension of
4 a line that:

5 (A) Is at least 2½ miles in length;

6 (B) traverses at least 2½ contiguous miles through the corporate
7 limits of a city having a population of 300,000 or more; and

8 (C) is designed for the transfer of at least 69 kilovolts but less than
9 230 kilovolts of electricity.

10 Sec. 2. This act shall take effect and be in force from and after its
11 publication in the statute book.