

AN ACT relating to eminent domain.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 278.502 is amended to read as follows:

(1) As used in this section, the terms "oil or gas" and "oil and gas products" shall not include natural gas liquids, including ethane, propane, butane, isobutene, pentane, or any combination of natural gas liquids, other than those co-produced in Kentucky incidental to the production of oil or gas in this state.

(2) Any corporation or partnership organized for the purpose of, and any individual engaged in or proposing to engage in, constructing, maintaining, or operating oil or gas wells or pipelines for transporting or delivering oil or gas, including oil and gas products, in **public use as defined in KRS 416.675**~~[public service]~~ may, if it is unable to contract or agree with the owner after a good faith effort to do so, condemn the lands and material or the use and occupation of the lands that are necessary for constructing, maintaining, drilling, utilizing, and operating pipelines, underground oil or gas storage fields, and wells giving access thereto and all necessary machinery, equipment, pumping stations, appliances, and fixtures, including tanks and telephone lines, and other communication facilities, for use in connection therewith, and the necessary rights of ingress and egress to construct, examine, alter, repair, maintain, operate, or remove such pipelines or underground gas storage fields, to drill new wells and utilize existing wells in connection therewith, and remove pipe, casing, equipment, and other facilities relating to such underground storage fields and access wells. The **rights granted and the proceedings for condemnation under this section** shall be as provided in the Eminent Domain Act of Kentucky.

➔Section 2. KRS 416.680 is amended to read as follows:

KRS 416.540 to **416.680**~~[416.670]~~ shall be known as the "Eminent Domain Act of Kentucky."