

1 AN ACT relating to eminent domain for solar energy projects.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 416 IS CREATED TO
4 READ AS FOLLOWS:

5 *Notwithstanding any provision of law to the contrary, no land condemned by eminent*
6 *domain under this chapter or any other grant of condemnation authority under state*
7 *law shall be used for the construction of a facility that generates electricity using solar*
8 *energy or the construction of any transmission facility to serve a facility that generates*
9 *electricity using solar energy.*

10 ➔Section 2. KRS 416.570 is amended to read as follows:

11 Except as otherwise provided in KRS 416.560, a condemnor seeking to condemn
12 property or the use and occupation thereof, shall file a verified petition in the Circuit
13 Court of the county in which all or the greater portion of the property sought to be
14 condemned is located, which petition shall state that it is filed under the provisions of
15 KRS 416.550 to 416.670 and shall contain, in substance:

16 (1) Allegations sufficient to show that the petitioner is entitled, under the provisions of
17 applicable law, to exercise the right of eminent domain and to condemn the
18 property, or the use and occupation thereof, sought to be taken in such proceedings;

19 (2) *A statement certifying that the proposed condemnation will not violate Section 1*
20 *of this Act;*

21 **(3)** A particular description of the property and the use and occupation thereof sought
22 to be condemned; and

23 ~~(4)~~~~(3)~~ An application to the court to appoint commissioners to award the amount of
24 compensation the owner of the property sought to be condemned is entitled to
25 receive therefor.