

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2256 Session of
1991

INTRODUCED BY STEIGHNER, B. SMITH, COY, CARONE, LaGROTTA, VEON,
FARGO, PISTELLA, JOHNSON, TIGUE, FREEMAN, KRUSZEWSKI,
KOSINSKI, BARLEY, MELIO, DALEY, STABACK AND SURRA,
DECEMBER 9, 1991

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, DECEMBER 9, 1991

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, further providing for appropriations
3 by right of eminent domain; and providing for entry onto
4 property for surveys or other purposes.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 1104 of Title 66 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 1104. [Certain appropriations] Appropriations by right of
10 eminent domain [prohibited].

11 (a) Certificate of public convenience.--Unless its power of
12 eminent domain existed under prior law, no domestic public
13 utility or foreign public utility authorized to do business in
14 this Commonwealth shall exercise any power of eminent domain
15 within this Commonwealth until it shall have received the
16 certificate of public convenience required by section 1101
17 (relating to organization of public utilities and beginning of
18 service).

1 (b) Project approval.-- Unless the project has been approved
2 by the commission, no domestic public utility or foreign public
3 utility authorized to do business in this Commonwealth shall:

4 (1) exercise any power of eminent domain within this
5 Commonwealth; or

6 (2) enter onto any land in this Commonwealth without the
7 consent of the landowner for the purpose of making surveys or
8 for any other purpose.

9 Section 2. This act shall take effect immediately.