

***Effective 5/13/2014***

**11-13-314 Eminent domain authority of certain commercial project entities.**

- (1)
- (a) Subject to Subsection (2), a commercial project entity that existed as a project entity before January 1, 1980 may, with respect to a project or facilities providing additional project capacity in which the commercial project entity has an interest, acquire property within the state through eminent domain, subject to restrictions imposed by Title 78B, Chapter 6, Part 5, Eminent Domain, and general law for the protection of other communities.
  - (b) Subsection (1)(a) may not be construed to:
    - (i) give a project entity the authority to acquire water rights by eminent domain; or
    - (ii) diminish any other authority a project entity may claim to have under the law to acquire property by eminent domain.
- (2) Each project entity that intends to acquire property by eminent domain under Subsection (1)(a) shall comply with the requirements of Section 78B-6-505.

Amended by Chapter 59, 2014 General Session