

# Municipal Utilities' Eminent Domain Authority Must Be Preserved

Eminent domain is the power vested in public entities that enables them to acquire private property for a public use. Eminent domain authority is also granted to certain private entities such as utility companies, railroads, and redevelopment corporations.

The power of eminent domain has been absolutely essential for cities in building necessary public facilities such as roads, highways, bridges, water systems and wastewater facilities. Municipal utilities have long relied on the use of this power to develop projects such as water purification plants, flood protection systems, power plants, substations, right-of-way easements for power lines, natural gas pipelines, water lines and sewer lines.

Eminent domain has also been used by communities as an important tool for planning and economic development. The judicious use of this power has fostered public-private partnerships and led to the alleviation of blighted neighborhoods, created jobs and lifted communities out of economic distress.



The Legislature should exercise caution in making any further modifications to the scope of municipal eminent domain authority. Any proposal to modify the scope of cities' eminent domain authority must preserve the right of cities to

use eminent domain for traditional infrastructure projects, including the right of public power communities to use the eminent domain process to secure the purchase of electric service territory following annexation.