

Bill Summary
2nd Session of the 57th Legislature

Bill No.:	SB 1864
Version:	INT
Request No.:	2907
Author:	Sen. Dahm
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Bill Analysis

SB 1864 prohibits the taking or damaging of private property by a condemning authority unless the taking or damage is necessary for a public use and with just compensation. The authority must prove that the property it seeks to acquire is required for the public use and the public use identified in the petition for condemnation cannot be accomplished by using or acquiring other property with the consent of the owner. The owner of the property in question shall have a right to have a court determine whether private property is being taken for a public or private use, to remediate an abandoned property, to remediate blighted property, or if such taking is required to fulfill the public use as stated in the petition for condemnation. The court is instructed to construe the law in a manner that favors the owner.

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