

Bill Summary
2nd Session of the 60th Legislature

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SB 1556
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Sen. Grellner
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Bill Analysis

SB 1556 requires any judicial review of eminent domain relating to seizure of a condemned property to be subject to de novo judicial review. The measure directs courts to strictly construe all statutes granting eminent domain in favor of the property owner and against the condemning authority. The owner of a condemned property shall be entitled to a hearing on the issues of public use or necessity of the taking. The measure requires the condemning authority to show a preponderance of evidence that no feasible alternative route, alignment, design, or non-condemnation option exists that would satisfy the public use with less harm to private property. Additionally, the authority shall be required to provide the property owner with certain documents relating to the owner's property. The measure specifies that property owners invoking their right to a hearing shall be entitled to discovery.

Prepared by: Kalen Taylor