

May 11, 2006

H 1965. EMINENT DOMAIN RESTRICTIONS. Filed 5/11/06. *TO RESTRICT THE STATUTORY PURPOSES FOR WHICH EMINENT DOMAIN MAY BE USED BY PRIVATE CONDEMNORS, LOCAL PUBLIC CONDEMNORS, AND OTHER PUBLIC CONDEMNORS, AND FOR CERTAIN REVENUE BOND PROJECTS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON EMINENT DOMAIN POWERS.* Amends GS 40A-1 to (1) restate that the purposes for which local governments, local government agencies, and public utilities are authorized to use the power of eminent domain are those authorized by GS 40A-3 and (2) repeal local acts authorizing other uses of the power of eminent domain, effective July 1, 2006, except that any eminent domain action commenced before July 1, 2006, for a use or purpose granted by a local act, may be completed. Clarifies local boards of education's eminent domain authority under GS 40A-3(b) (standard provision for local public condemnors) and GS 40A-3(b1) (modified provision for local public condemnors in certain localities). Those subsections currently permit boards of education to exercise the eminent domain power for "purposes authorized by other statutes." The bill replaces this phrase with "purposes authorized by Chapter 115C of the General Statutes." Amends GS 159-83(a)(1) (powers of the State and local governments under the Revenue Bond Act) to prohibit the use of eminent domain for economic development revenue bond projects. Effective July 1, 2006.

Intro. by Goforth, Sherrill.

GS 40A, 159

June 22, 2006

H 1965. EMINENT DOMAIN RESTRICTIONS. Filed 5/11/06. Senate committee substitute makes the following changes to 2nd edition. Repeals provisions of local acts granting authority to exercise the power of eminent domain for a use or purpose other than those granted in GS 40A-3 (2nd edition repealed in their entirety local acts granting such excess authority).

July 19, 2006

H 1965. EMINENT DOMAIN RESTRICTIONS. Filed 5/11/06. Senate committee substitute makes the following changes to 3rd edition. Amends GS 160A-503 to define blighted parcel as the actual land on which the buildings or improvements in a blighted area are situated and specify that eminent domain can be exercised only to take a blighted parcel (was, blighted area). Makes conforming changes to GS 160A-512 and GS 160A-515.

August 14, 2006

SL 2006-224 (H 1965). EMINENT DOMAIN RESTRICTIONS. *AN ACT TO RESTRICT THE STATUTORY PURPOSES FOR WHICH EMINENT DOMAIN MAY BE USED BY PRIVATE CONDEMNORS, LOCAL PUBLIC CONDEMNORS, AND OTHER PUBLIC CONDEMNORS, AND FOR CERTAIN REVENUE BOND PROJECTS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON EMINENT DOMAIN POWERS.* Summarized in *Daily Bulletin* 5/11/06, 6/22/06, and 7/19/06. Enacted August 10, 2006. Effective July 1, 2006.