

HB 1085 -- Condemnation Proceedings

Sponsor: Townley

This bill makes several changes to the laws governing the condemnation of real property. The bill:

- (1) Requires the condemning entity to declare the exact location of the property desired and the specific intended use of the property;
- (2) Prohibits the condemning entity from using the property for any purpose other than its original intended purpose;
- (3) Prohibits the condemning entity from transferring the property to another entity;
- (4) Entitles the property owner the right to buy back any condemned property that the condemning entity does not use for 10 years;
- (5) Requires the condemning entity to pay for all costs of litigation; and
- (6) Establishes a method by which the court must appoint commissioners for condemnation proceedings. The condemning entity will select a commissioner, the landowner will select a commissioner, and the two parties must agree on an independent appraiser to serve as the third commissioner. If they cannot agree on a third commissioner, the court will appoint one.