

SB 86 -- CONDEMNATION PROCEEDINGS

SPONSOR: Crowell (Stevenson)

COMMITTEE ACTION: Voted "do pass" by the Committee on Judiciary by a vote of 9 to 1 with 2 present.

This bill increases the time parties are allowed to request the circuit court to review a report in condemnation proceedings from 10 days to 30 days after service of the notice to conform with the current Missouri Supreme Court rule.

FISCAL NOTE: No impact on state funds in FY 2006, FY 2007, and FY 2008.

PROPOSERS: Supporters say that Missouri's statutory definition of "blight" is problematic because any property could be considered blighted. Missouri's test is purely subjective, and there are no objective criteria for determining blight. Private property should only be taken for public use, not for another private use that generates more tax revenue. Municipalities should pay more attention to property owners, and commissioners should be more knowledgeable about the process.

Testifying for the bill were Representative Hobbs; Institute for Justice; American Farm Bureau Federation; Justrite Rubber Stamp and Seal Company; Kathy Tripp; Phillis Hardy; Doug McDaniel; Claire Kramer; Claudia Baker; Donna Hackmann; and Missouri Bar.

OPPOSERS: Those who oppose the bill say that it will stifle progress and economic development. Limiting the power of eminent domain will allow property owners to hold a project hostage.

Testifying against the bill were Missouri Economic Development Financial Association; Home Builders Association of Greater St. Louis; and Spencer Thomson.

Amy Woods, Senior Legislative Analyst