

HJR 37 -- Eminent Domain

Sponsor: Wright (137)

This proposed constitutional amendment restricts, upon voter approval, the use of eminent domain. Currently, private property cannot be taken or damaged for public use without just compensation. The amendment specifies that no use will be considered public in which any entity other than the state, a political subdivision, public agency, public utility, or rural electric cooperative will use or own the property. If the public entity offers to sell or transfer property taken for public use within 20 years, the property owner of record at the time of the taking will have the first right to purchase the property at the current fair market value.