

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Committee Substitute for Senate Bill No. 824, Page 17, Section 211.411, Line 15,
2 by inserting after all of said section and line the following:

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4 "523.262. 1. Except as set forth in subsection 2 of this section, the power of eminent domain
5 shall only be vested in governmental bodies or agencies whose governing body is elected or whose
6 governing body is appointed by elected officials or in an urban redevelopment corporation operating
7 pursuant to a redevelopment agreement with the municipality for a particular redevelopment area,
8 which agreement was executed prior to or on December 31, 2006.

9 2. A private utility company, public utility, rural electric cooperative, municipally owned
10 utility, pipeline, railroad or common carrier shall have the power of eminent domain as may be
11 granted pursuant to the provisions of other sections of the revised statutes of Missouri, except where
12 any electric transmission line originates and terminates in a single state other than Missouri while
13 traversing any county of the third classification without a township form of government and with
14 more than thirty-three thousand but fewer than thirty-seven thousand inhabitants and with a city of
15 the fourth classification with more than three thousand but fewer than three thousand seven hundred
16 inhabitants as the county seat or a county of the third classification without a township form of
17 government and with more than twenty-three thousand but fewer than twenty-six thousand
18 inhabitants and with a city of the fourth classification with more than seven hundred but fewer than
19 eight hundred inhabitants as the county seat. For the purposes of this section, the term "common
20 carrier" shall not include motor carriers, contract carriers, or express companies. Where a
21 condemnation by such an entity results in a displaced person, as defined in section 523.200, the
22 provisions of subsections 3 and 6 to 10 of section 523.205 shall apply unless the condemning entity
23 is subject to the relocation assistance provisions of the federal Uniform Relocation Assistance Act.

24 3. Any entity with the power of eminent domain and pursuing the acquisition of property for
25 the purpose of constructing a power generation facility after December 31, 2006, after providing
26 notice in a newspaper of general circulation in the county where the facility is to be constructed,
27 shall conduct a public meeting disclosing the purpose of the proposed facility prior to making any
28 offer to purchase property in pursuit thereof or, alternatively, shall provide the property owner with
29 notification of the identity of the condemning authority and the proposed purpose for which the
30 condemned property shall be used at the time of making the initial offer.

Action Taken _____ Date _____

1 4. The exception to the eminent domain power contained in subsection 2 of this section shall
2 expire and be of no force or effect on or after August 28, 2014."; and

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4 Further amend said bill by amending the title, enacting clause, and intersectional references
5 accordingly.
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