



General Assembly

January Session, 2007

Committee Bill No. 167

LCO No. 5921

05921SB00167JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

**AN ACT CONCERNING A PROPERTY OWNER'S RIGHT TO
REPURCHASE PROPERTY ACQUIRED BY EMINENT DOMAIN.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 8-128 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage and*
3 *applicable to property acquired on or after said date*):

4 (a) Within a reasonable time after its approval of [the] a
5 redevelopment plan as [hereinbefore] provided in section 8-127, the
6 redevelopment agency may proceed with the acquisition or rental of
7 real property by purchase, lease, exchange or gift. The redevelopment
8 agency may acquire real property by eminent domain with the
9 approval of the legislative body of the municipality and in accordance
10 with the provisions of sections 8-129 to 8-133, inclusive, and this
11 section. The legislative body in its approval of a project under section
12 8-127 shall specify the time within which real property is to be
13 acquired. The time for acquisition may be extended by the legislative
14 body in accordance with section 48-6, upon request of the
15 redevelopment agency, provided the owner of the real property
16 consents to such request. Real property may be acquired previous to

17 the adoption or approval of the project area redevelopment plan,
18 provided the property acquired shall be located within an area
19 designated on the general plan as an appropriate redevelopment area
20 or within an area whose boundaries are defined by the planning
21 commission as an appropriate area for a redevelopment project, and
22 provided such acquisition shall be authorized by the legislative body.
23 The redevelopment agency may clear, repair, operate or insure such
24 property while it is in its possession or make site improvements
25 essential to preparation for its use in accordance with the
26 redevelopment plan.

27 (b) (1) On and after the effective date of this section, on the date a
28 certificate of taking is filed pursuant to section 8-129 for property
29 acquired by eminent domain pursuant to this section, the
30 redevelopment agency shall record with the certificate of taking
31 separate findings that itemize the value of the real property and the
32 value of any structures or improvements on the real property so
33 acquired.

34 (2) (A) If the redevelopment agency or municipality does not use
35 real property acquired by eminent domain on or after the effective date
36 of this section for the purpose for which it was acquired or for some
37 other public use within fifteen years of the date of acquisition, or sells
38 the real property at any time, the redevelopment agency or
39 municipality shall first offer the real property for sale pursuant to
40 subparagraph (B) of this subdivision to the person from whom the real
41 property was acquired, or heirs of the person designated pursuant to
42 subparagraph (B) of this subdivision, if any, for a price not greater than
43 the amount of compensation paid for such real property, after any
44 appeal or settlement, less (i) the value set forth in the recorded findings
45 of any structures or improvements that were removed from the real
46 property by the redevelopment agency or its designee after the real
47 property was acquired, and (ii) the amount of any depreciation, as
48 defined in section 45a-542z. After the municipality provides notice
49 pursuant to subparagraph (B) of this subdivision, the municipality or

50 redevelopment agency may not sell such property to a third party
51 unless the municipality or redevelopment agency has permitted the
52 person or designated heirs six months during which to exercise the
53 right to purchase the property, and an additional six months to finalize
54 the purchase if the person or designated heirs provide the municipality
55 or redevelopment agency with notice of intent to purchase the
56 property within the initial six-month period.

57 (B) For the purposes of any offer of sale pursuant to this subsection,
58 the municipality shall provide a form to any person whose property is
59 acquired pursuant to this section to permit such person to provide an
60 address for notice of sale to be sent, or to provide the name and
61 address of an agent to receive such notice. Such form shall be designed
62 to permit the person to designate heirs of the person who shall be
63 eligible to purchase such property pursuant to this subsection. The
64 person or agent shall update information in the form in writing. If the
65 person or agent does not provide or update the information in the
66 form in a manner that permits the municipality to send notice of sale
67 pursuant to this subsection, no such notice shall be required.

68 Sec. 2. Section 8-193 of the general statutes is repealed and the
69 following is substituted in lieu thereof (*Effective from passage and*
70 *applicable to property acquired on or after said date*):

71 (a) After approval of the development plan as provided in this
72 chapter, the development agency may proceed by purchase, lease,
73 exchange or gift with the acquisition or rental of real property within
74 the project area and real property and interests therein for rights-of-
75 way and other easements to and from the project area.

76 (b) The development agency may, with the approval of the
77 legislative body, and in the name of the municipality, acquire by
78 eminent domain real property located within the project area and real
79 property and interests therein for rights-of-way and other easements to
80 and from the project area, in accordance with subsection (e) of this
81 section and in the same manner that a redevelopment agency may

82 acquire real property under sections 8-128 to 8-133, inclusive, as
83 amended by this act, as if said sections specifically applied to
84 development agencies.

85 (c) The development agency may, with the approval of the
86 legislative body and, of the commissioner if any grants were made by
87 the state under section 8-190 or 8-195 for such development project,
88 and in the name of such municipality, transfer by sale or lease at fair
89 market value or fair rental value, as the case may be, the whole or any
90 part of the real property in the project area to any person, in
91 accordance with the project plan and such disposition plans as may
92 have been determined by the commissioner.

93 [(b)] (d) A development agency shall have all the powers necessary
94 or convenient to undertake and carry out development plans and
95 development projects, including the power to clear, demolish, repair,
96 rehabilitate, operate, or insure real property while it is in its
97 possession, to make site improvements essential to the preparation of
98 land for its use in accordance with the development plan, to install,
99 construct or reconstruct streets, utilities and other improvements
100 necessary for carrying out the objectives of the development project,
101 and, in distressed municipalities, as defined in section 32-9p, to lend
102 funds to businesses and industries in a manner approved by the
103 commissioner.

104 (e) (1) On and after the effective date of this section, on the date a
105 certificate of taking is filed pursuant to section 8-129 for property
106 acquired by eminent domain pursuant to this section, the development
107 agency shall record with the certificate of taking separate findings that
108 itemize the value of the real property and the value of any structures
109 or improvements on the real property so acquired.

110 (2) (A) If the development agency or municipality does not use real
111 property acquired by eminent domain on or after the effective date of
112 this section for the purpose for which it was acquired or for some other
113 public use within fifteen years of the date of acquisition, or sells the

114 real property at any time, the development agency or municipality
115 shall first offer the real property for sale pursuant to subparagraph (B)
116 of this subdivision to the person from whom the real property was
117 acquired, or heirs of the person designated pursuant to subparagraph
118 (B) of this subdivision, if any, for a price not greater than the amount of
119 compensation paid for such real property, after any appeal or
120 settlement, less (i) the value set forth in the recorded findings of any
121 structures or improvements that were removed from the real property
122 by the development agency or its designee after the real property was
123 acquired, and (ii) the amount of any depreciation, as defined in section
124 45a-542z. After the municipality provides notice pursuant to
125 subparagraph (B) of this subdivision, the municipality or development
126 agency may not sell such property to a third party unless the
127 municipality or development agency has permitted the person or
128 designated heirs six months to exercise the right to purchase the
129 property, and an additional six months to finalize the purchase if the
130 person or designated heirs provide the municipality or development
131 agency with notice of intent to purchase the property within the initial
132 six-month period.

133 (B) For the purposes of any offer of sale pursuant to this subsection,
134 the municipality shall provide a form to any person whose property is
135 acquired pursuant to this section to permit such person to provide an
136 address for notice of sale to be sent, or to provide the name and
137 address of an agent to receive such notice. Such form shall be designed
138 to permit the person to designate heirs of the person who shall be
139 eligible to purchase such property pursuant to this subsection. The
140 person or agent shall update information in the form in writing. If the
141 person or agent does not provide or update the information in the
142 form in a manner that permits the municipality to send notice of sale
143 pursuant to this subsection, no such notice shall be required under this
144 subsection.

145 Sec. 3. Section 8-200 of the general statutes is repealed and the
146 following is substituted in lieu thereof (*Effective from passage and*

147 *applicable to property acquired on or after said date):*

148 (a) A development plan may be modified at any time by the
149 development agency, provided, if modified after the lease or sale of
150 real property in the development project area, the modification must
151 be consented to by the lessees or purchasers of such real property or
152 their successor or successors in interest affected by the proposed
153 modification. Where the proposed modification will substantially
154 change the development plan as previously approved, the
155 modification must be approved in the same manner as the
156 development plan.

157 (b) If after three years from the date of approval of the development
158 plan the development agency has been unable to transfer by sale or
159 lease at fair market value or fair rental value, as the case may be, the
160 whole or any part of the real property acquired in the project area to
161 any person in accordance with the project plan, and no grant has been
162 made for such project pursuant to section 8-195, the municipality may,
163 by vote of its legislative body, abandon the project plan and such real
164 property may be conveyed free of any restriction, obligation or
165 procedure imposed by the plan but shall be subject to all other local
166 and state laws, ordinances or regulations, including, but not limited to,
167 any offer of sale required under subsection (e) of section 8-193, as
168 amended by this act.

169 Sec. 4. Section 32-224 of the general statutes is repealed and the
170 following is substituted in lieu thereof (*Effective from passage and*
171 *applicable to property acquired on or after said date):*

172 (a) Any municipality which has a planning commission may, by
173 vote of its legislative body, designate an implementing agency to
174 exercise the powers granted under sections 32-220 to 32-234, inclusive.
175 Any municipality may, with the approval of the commissioner,
176 designate a separate implementing agency for each municipal
177 development project undertaken by such municipality pursuant to
178 said sections.

179 (b) The implementing agency may initiate a municipal development
180 project by preparing and submitting a development plan to the
181 commissioner. Such plan shall include: (1) A legal description of the
182 real property within the boundaries of the project area; (2) a
183 description of the present condition and uses of such real property; (3)
184 a description of the types and locations of land uses or building uses
185 proposed for the project area; (4) a description of the types and
186 locations of present and proposed streets, sidewalks and sanitary,
187 utility and other facilities and the types and locations of other
188 proposed project improvements; (5) statements of the present and
189 proposed zoning classification and subdivision status of the project
190 area and the areas adjacent to the project area; (6) a plan for relocating
191 project area occupants; (7) a financing plan; (8) an administrative plan;
192 (9) an environmental analysis, marketability and proposed land use
193 study, or building use study if required by the commissioner; (10)
194 appraisal reports and title searches if required by the commissioner;
195 (11) a description of the economic benefit of the project, including the
196 number of jobs which the implementing agency anticipates would be
197 created or retained by the project, estimated property tax benefits and
198 the number and types of existing housing units in the municipality in
199 which the project would be located, and in contiguous municipalities,
200 which would be available to employees filling such jobs and (12) a
201 finding that (A) the land and buildings within the boundaries of the
202 project area will be used principally for manufacturing or other
203 economic base business purposes or business support services; (B) the
204 plan is in accordance with the plan of development for the
205 municipality, if any, adopted by its planning commission and the plan
206 of development of the regional planning agency, if any, for the region
207 within which the municipality is located; (C) the plan is not inimical to
208 any state-wide planning program objectives of the state or state
209 agencies as coordinated by the Secretary of the Office of Policy and
210 Management; and (D) the project will contribute to the economic
211 welfare of the municipality and the state and that to carry out and
212 administer the project, public action under sections 32-220 to 32-234,

213 inclusive, is required. The provisions of this subsection with respect to
214 submission of a development plan to and approval by the
215 commissioner and with respect to a finding that the plan is not
216 inimical to any state-wide planning program objectives of the state or
217 its agencies shall not apply to a project for which no financial
218 assistance has been given and no application for financial assistance is
219 to be made under section 32-223. Any plan which has been prepared
220 under chapters 130, 132 or 588a may be submitted by the
221 implementing agency to the legislative body of the municipality and to
222 the commissioner in lieu of a plan initiated and prepared in accordance
223 with this section, provided all other requirements of sections 32-220 to
224 32-234, inclusive, for obtaining the approval of the commissioner of the
225 development plan are satisfied. Any action taken in connection with
226 the preparation and adoption of such plan shall be deemed effective to
227 the extent such action satisfies the requirements of said sections.

228 (c) No plan shall be adopted unless the planning commission of the
229 municipality finds that the plan is in accord with the plan of
230 development, if any, for the municipality and the regional planning
231 agency, if any, organized under chapter 127 for the region within
232 which such municipality is located finds that such plan is in accord
233 with the plan of development, if any, for such region. If the regional
234 planning agency fails to make a finding concerning the plan within
235 thirty-five days of receipt thereof, by such agency, it shall be presumed
236 that such agency does not disapprove of the plan. The implementing
237 agency shall hold at least one public hearing on the plan and shall
238 cause notice of the time, place, and subject of any public hearing to be
239 published at least once in a newspaper of general circulation in the
240 municipality not less than one week nor more than three weeks prior
241 to the date of such public hearing. Upon adoption the implementing
242 agency shall submit the plan to the legislative body of the municipality
243 for approval or disapproval. Any approval by the implementing
244 agency and legislative body of the municipality made under this
245 section shall specifically provide for approval of any findings
246 contained therein. After approval of the plan by the legislative body of

247 the municipality, such plan shall be submitted to the commissioner for
248 his approval. If the commissioner requires a substantial modification
249 of the plan as a condition of approval, the plan shall be subject to a
250 public hearing and approval by the implementing agency and the
251 legislative body of the municipality in accordance with the provisions
252 of this subsection.

253 (d) A development plan may be modified at any time by the
254 implementing agency, provided, if modified after the lease or sale of
255 real property in the project area, the lessees or purchasers of such real
256 property or their successor or successors in interest affected by the
257 proposed modification shall consent to such modification. If the
258 proposed modification will substantially alter the development plan as
259 previously approved, the modification shall be subject to the approval
260 of the local legislative body of the municipality and the commissioner
261 in the same manner as approval of the development plan. The
262 municipality may, by vote of its legislative body, abandon the
263 development plan and convey such real property within the
264 boundaries of the project area free of any restriction, obligation or
265 procedure imposed by the plan subject to all other local and state laws,
266 ordinances or regulations, including, but not limited to, any offer of
267 sale required under subsection (h) of this section, if after three years
268 from the date of approval of the plan the implementing agency has not
269 transferred by sale or lease all or any part of the real property acquired
270 in the project area to any person in accordance with the development
271 plan and no grant of financial assistance under sections 32-220 to 32-
272 234, inclusive, has been given for such project other than for activities
273 related to the planning of the project pursuant to section 32-222.

274 (e) The implementing agencies of two or more municipalities may,
275 after approval by each legislative body thereof, jointly initiate a
276 development project if the project area is to be located in one or more
277 of such municipalities. Such implementing agencies, after approval by
278 the commissioner of the development plan for the project if any state
279 aid is to be requested under section 32-223, may enter into and amend

280 subject to the approval of the commissioner, an agreement to jointly
281 carry out the development plan. Such agreement may include
282 provisions for furnishing municipal services to the project and sharing
283 costs of and revenues from the project, including property tax and
284 rental receipts. The development plan shall include a proposed form of
285 the agreement to be entered into by the municipalities. Each
286 municipality which is a party to an agreement may make
287 appropriations and levy taxes in accordance with the provisions of the
288 general statutes and may issue bonds in accordance with section 32-
289 227 to further its obligations under the agreement.

290 (f) As used in this subsection, "public service facility" includes any
291 sewer, pipe, main conduit, cable, wire, pole, tower, building or utility
292 appliance owned or operated by an electric, gas, telephone, telegraph
293 or water company. Whenever an implementing agency determines
294 that the closing of any street or public right-of-way is provided for in a
295 development plan adopted and approved in accordance with sections
296 32-220 to 32-234, inclusive, or where the carrying out of such a
297 development plan, including the construction of new improvements,
298 requires the temporary or permanent readjustment, relocation or
299 removal of a public service facility from a street or public right-of-way,
300 the implementing agency shall issue an appropriate order to the
301 company owning or operating such facility. Such company shall
302 permanently or temporarily readjust, relocate or remove the public
303 service facility promptly in accordance with such order, provided an
304 equitable share of the cost of such readjustment, relocation or removal,
305 including the cost of installing and constructing a facility of equal
306 capacity in a new location, shall be borne by the implementing agency.
307 Such equitable share shall be fifty per cent of such cost after the
308 deduction hereinafter provided. In establishing the equitable share of
309 the cost to be borne by the implementing agency, there shall be
310 deducted from the cost of the readjusted, relocated or removed
311 facilities a sum based on a consideration of the value of materials
312 salvaged from existing installations, the cost of the original installation,
313 the life expectancy of the original facility and the unexpired term of

314 such life use. The books and records of the company shall be made
315 available for inspection by the implementing agency to determine the
316 equitable share of the cost of such readjustment, relocation or removal.
317 When any facility is removed from a street or public right-of-way to a
318 private right-of-way, the implementing agency shall not pay for such
319 private right-of-way. If the implementing agency and the company
320 owning or operating such facility cannot agree upon the share of the
321 cost to be borne by the implementing agency, such agency or the
322 company may apply to the superior court for the judicial district
323 within which the street or public right-of-way is situated, or, if the
324 court is not in session, to any judge thereof, for a determination of the
325 cost to be borne by the implementing agency. The court or the judge,
326 after causing notice of the pendency of such application to be given to
327 the other party, shall appoint a state referee to make such
328 determination. The referee, having given at least ten days' notice to the
329 interested parties of the time and place of the hearing, shall hear both
330 parties, take such testimony as he may deem material and thereupon
331 determine the amount of the cost to be borne by the implementing
332 agency. The referee shall immediately report the amount to the court.
333 If the report is accepted by the court, such determination shall, subject
334 to right of appeal as in civil actions, be conclusive upon such parties.

335 (g) After approval of the development plan pursuant to sections 32-
336 220 to 32-234, inclusive, the implementing agency may by purchase,
337 lease, exchange or gift acquire or rent real property necessary or
338 appropriate for the project as identified in the development plan and
339 real property and interests therein for rights-of-way and other
340 easements to and from the project area. The implementing agency
341 may, with the approval of the legislative body of the municipality, and
342 in the name of the municipality, condemn in accordance with section
343 8-128 to 8-133, inclusive, any real property necessary or appropriate for
344 the project as identified in the development plan, including real
345 property and interests in land for rights-of-way and other easements to
346 and from the project area.

347 (h) (1) On and after the effective date of this section, on the date a
348 certificate of taking is filed pursuant to section 8-129 for property
349 acquired by eminent domain pursuant to this section, the
350 implementing agency shall record with the certificate of taking
351 separate findings that itemize the value of the real property and the
352 value of any structures or improvements on the real property so
353 acquired.

354 (2) (A) If the implementing agency or municipality does not use real
355 property acquired by eminent domain on or after the effective date of
356 this section for the purpose for which it was acquired or for some other
357 public use within fifteen years of the date of acquisition, or sells the
358 real property at any time, the implementing agency or municipality
359 shall first offer the real property for sale pursuant to subparagraph (B)
360 of this subdivision to the person from whom the real property was
361 acquired, or heirs of the person designated pursuant to subparagraph
362 (B) of this subdivision, if any, for a price not greater than the amount of
363 compensation paid for such real property, after any appeal or
364 settlement, less (i) the value set forth in the recorded findings of any
365 structures or improvements that were removed from the real property
366 by the implementing agency or its designee after the real property was
367 acquired, and (ii) the amount of any depreciation, as defined in section
368 45a-542z. After the municipality provides notice pursuant to
369 subparagraph (B) of this subdivision, the municipality or
370 implementing agency may not sell such property to a third party
371 unless the municipality or implementing agency has permitted the
372 person or designated heirs six months during which to exercise the
373 right to purchase the property, and an additional six months to finalize
374 the purchase if the person or designated heirs provide the municipality
375 or implementing agency with notice of intent to purchase the property
376 within the initial six-month period.

377 (B) For the purposes of any offer of sale pursuant to this subsection,
378 the municipality shall provide a form to any person whose property is
379 acquired pursuant to this section to permit such person to provide an

380 address for notice of sale to be sent, or to provide the name and
381 address of an agent to receive such notice. Such form shall be designed
382 to permit the person to designate heirs of the person who shall be
383 eligible to purchase such property pursuant to this subsection. The
384 person or agent shall update information in the form in writing. If the
385 person or agent does not provide or update the information in the
386 form in a manner that permits the municipality to send notice of sale
387 pursuant to this subsection, no such notice shall be required under this
388 subsection.

389 Sec. 5. Section 48-11 of the general statutes is repealed and the
390 following is substituted in lieu thereof (*Effective from passage and*
391 *applicable to property acquired on or after said date*):

392 (a) Whenever the state takes property under any provision of the
393 general statutes or any special act, and the state and the owner or
394 owners of such property or of any interest therein are unable to agree
395 on the amount to be paid as just compensation for such property, the
396 taking authority shall file, with the clerk of the court to which a
397 petition for the assessment of just damages has been preferred, a
398 statement of the sum of money estimated by such authority to be just
399 compensation for the property or interest therein taken. The statement
400 shall itemize the value of the real property and the value of any
401 structures or improvements on the real property. Such sum shall be
402 deposited in said court to the use of the person or persons entitled
403 thereto and notice of such deposit shall be given to such person or
404 persons by such clerk. The court may require such person or persons to
405 give bond to the state conditioned on the repayment to the state of so
406 much of such deposit which may be withdrawn as exceeds the amount
407 of compensation finally awarded. Interest shall not be allowed in any
408 judgment on so much of such amount as had been deposited in said
409 court.

410 (b) Upon the application of any such owner or owners, the court,
411 after determining the equity of the applicant in such deposit, may

412 order that the money so deposited, or any part thereof, be paid
413 forthwith for or on account of the just compensation to be awarded in
414 such proceeding. If the compensation finally awarded exceeds the total
415 amount of money so deposited or received by any person or persons
416 entitled thereto, the court shall enter judgment against the state for the
417 amount of the deficiency. Any order of the court concerning the
418 amount of just compensation to be awarded shall itemize the value of
419 the real property and any structures or improvements on the real
420 property.

421 Sec. 6. Section 48-12 of the general statutes is repealed and the
422 following is substituted in lieu thereof (*Effective from passage and*
423 *applicable to property acquired on or after said date*):

424 [The] (a) Except as provided in subsection (b) of this section, the
425 procedure for condemning land or other property for any of the
426 purposes specified in sections 48-3, 48-6, 48-8 and 48-9, if those
427 desiring to take such property cannot agree with the owner upon the
428 amount to be paid him for any property thus taken, shall be as follows:
429 The Comptroller in the name of the state, any town, municipal
430 corporation or school district, or the trustees or directors of any state
431 institution in the name of the state, shall proceed in the same manner
432 specified for redevelopment agencies in accordance with sections 8-
433 128, as amended by this act, 8-129, 8-129a, 8-130, 8-131, 8-132, 8-132a
434 and 8-133.

435 (b) For any land or other property condemned on or after the
436 effective date of this section for any of the purposes specified in
437 sections 48-3, 48-6, 48-8, and 48-9, and subparagraph (A) of subdivision
438 (3) of subsection (c) of section 7-148, a statement of compensation shall
439 be filed in the same manner specified for redevelopment agencies in
440 accordance with subsection (b) of section 8-128, as amended by this act,
441 and the owner or heir shall be permitted to repurchase the property in
442 the manner specified in said subsection (b).

443 Sec. 7. Section 48-17a of the general statutes is repealed and the

444 following is substituted in lieu thereof (*Effective from passage and*
445 *applicable to property acquired on or after said date*):

446 (a) The state court having jurisdiction of a proceeding instituted by
447 a state agency to acquire real property by condemnation shall award
448 the owner of any right, or title to, or interest in, such real property such
449 sum as will in the opinion of the court reimburse such owner for his
450 reasonable costs, disbursements and expenses, including reasonable
451 attorney, appraisal and engineering fees, actually incurred because of
452 the condemnation proceedings, if (1) the final judgment is that the
453 state agency cannot acquire the real property by condemnation; or (2)
454 the proceeding is abandoned by the state.

455 (b) (1) If a state agency acquires real property by condemnation on
456 or after the effective date of this section and does not use the real
457 property for the purpose for which it was acquired or for some other
458 public use within fifteen years of the date of acquisition, or sells the
459 real property at any time, the state agency shall first offer the real
460 property for sale pursuant to subdivision (2) of this subsection to the
461 person from whom the real property was acquired, or heirs of the
462 person designated pursuant to subdivision (2) of this subsection, if
463 any, for a sum not greater than the amount of compensation paid for
464 such real property, after any appeal or settlement, less (A) the value set
465 forth in the recorded findings of any structures or improvements that
466 were removed from the real property by the state agency or its
467 designee after the real property was acquired, and (B) the amount of
468 any depreciation, as defined in section 45a-542z. After the state agency
469 provides notice pursuant to subdivision (2) of this subsection, the state
470 agency may not sell such property to a third party unless the state
471 agency has permitted the person or designated heirs six months
472 during which to exercise the right to purchase the property, and an
473 additional six months to finalize the purchase if the person or
474 designated heirs provide the state agency with notice of intent to
475 purchase the property within the initial six-month period.

476 (2) For the purposes of any offer of sale pursuant to this subsection,
 477 the state agency shall provide a form to any person whose property is
 478 acquired on or after the effective date of this section to permit such
 479 person to provide an address for notice of sale to be sent, or to provide
 480 the name and address of an agent to receive such notice. Such form
 481 shall be designed to permit the person to designate heirs of the person
 482 who shall be eligible to purchase such property pursuant to this
 483 subsection. The person or agent shall update information in the form
 484 in writing. If the person or agent does not provide or update the
 485 information in the form in a manner that permits the state agency to
 486 send notice of sale pursuant to this subsection, no such notice shall be
 487 required under this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage and applicable to property acquired on or after said date</i>	8-128
Sec. 2	<i>from passage and applicable to property acquired on or after said date</i>	8-193
Sec. 3	<i>from passage and applicable to property acquired on or after said date</i>	8-200
Sec. 4	<i>from passage and applicable to property acquired on or after said date</i>	32-224
Sec. 5	<i>from passage and applicable to property acquired on or after said date</i>	48-11

Sec. 6	<i>from passage and applicable to property acquired on or after said date</i>	48-12
Sec. 7	<i>from passage and applicable to property acquired on or after said date</i>	48-17a

Statement of Purpose:

To permit persons to repurchase property acquired by eminent domain if such property is not used for a public use within fifteen years or is otherwise designated to be sold.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. PRAGUE, 19th Dist.; SEN. SLOSSBERG, 14th Dist.

S.B. 167