



General Assembly

**Amendment**

January Session, 2007

LCO No. 8733

\*SB0016708733HDO\*

Offered by:  
REP. MIKUTEL, 45<sup>th</sup> Dist.

To: Subst. Senate Bill No. 167

File No. 560

Cal. No. 704

(As Amended)

**"AN ACT REVISING THE PROCESS FOR THE TAKING OF REAL PROPERTY BY MUNICIPALITIES FOR REDEVELOPMENT AND ECONOMIC DEVELOPMENT."**

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1 Strike subdivision (1) of subsection (b) of section 1 in its entirety  
2 and insert the following in lieu thereof:

3 "(b) (1) The development agency may, with the approval of the  
4 legislative body in accordance with this subsection, and in the name of  
5 the municipality, acquire by eminent domain real property located  
6 within the project area and real property and interests therein for  
7 rights-of-way and other easements to and from the project area, in the  
8 same manner that a redevelopment agency may acquire real property  
9 under sections 8-128 to 8-133, inclusive, as amended by this act, as if  
10 said sections specifically applied to development agencies, except that  
11 no real property may be acquired by eminent domain pursuant to this  
12 subsection for the purpose of economic development unless such real  
13 property is located in a distressed municipality, as defined in

14 subsection (b) of section 32-9p or a municipality with a population of  
15 one hundred thousand or more according to the most recent estimate  
16 of the Department of Public Health. The provisions of this subsection  
17 concerning acquisition of real property by eminent domain for the  
18 purpose of economic development shall not supersede the provisions  
19 of a local ordinance that has more stringent provisions for acquisition  
20 of real property by eminent domain for such purpose."

21 Strike subdivision (1) of subsection (a) of section 2 in its entirety and  
22 insert the following in lieu thereof:

23 "(a) (1) No real property may be acquired by a redevelopment  
24 agency by eminent domain pursuant to section 8-128 of the general  
25 statutes, as amended by this act, under a redevelopment plan under  
26 chapter 130 of the general statutes, for the purpose of economic  
27 development unless such real property is located in a distressed  
28 municipality, as defined in subsection (b) of section 32-9p of the  
29 general statutes or a municipality with a population of one hundred  
30 thousand or more according to the most recent estimate of the  
31 Department of Public Health. The provisions of this subsection  
32 concerning acquisition of real property by eminent domain for the  
33 purpose of economic development shall not supersede the provisions  
34 of a local ordinance that has more stringent provisions for acquisition  
35 of real property by eminent domain for such purpose."

36 Strike subdivision (1) of subsection (i) of section 3 in its entirety and  
37 insert the following in lieu thereof:

38 "(i) (1) The implementing agency may, with the approval of the  
39 legislative body of the municipality, and in the name of the  
40 municipality, condemn in accordance with section 8-128 to 8-133,  
41 inclusive, as amended by this act, any real property necessary or  
42 appropriate for the project as identified in the development plan,  
43 including real property and interests in land for rights-of-way and  
44 other easements to and from the project area, except that no real  
45 property may be condemned pursuant to this subsection for the

46 purpose of economic development unless such real property is located  
47 in a distressed municipality, as defined in subsection (b) of section 32-  
48 9p or a municipality with a population of one hundred thousand or  
49 more according to the most recent estimate of the Department of  
50 Public Health. The provisions of this subsection concerning acquisition  
51 of real property by eminent domain for the purpose of economic  
52 development shall not supersede the provisions of a local ordinance  
53 that has more stringent provisions for acquisition of real property by  
54 eminent domain for such purpose."