



General Assembly

Amendment

February Session, 2014

LCO No. 5425

HB0513405425HDO

Offered by:
REP. BUTLER, 72nd Dist.

To: Subst. House Bill No. 5134 File No. 669 Cal. No. 39

**"AN ACT CONCERNING THE ACQUISITION OF REAL PROPERTY
TO BE USED FOR SCHOOL CONSTRUCTION."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subdivision (2) of subsection (a) of section 8-129 of the
4 general statutes is repealed and the following is substituted in lieu
5 thereof (*Effective from passage*):

6 (2) For any real property to be acquired by eminent domain
7 pursuant to section 8-128 or 8-193, or by condemnation pursuant to
8 section 32-224, pursuant to a redevelopment plan approved under this
9 chapter or a development plan approved under chapter 132 or 588l, the
10 agency shall have two independent appraisals conducted on the real
11 property in accordance with this subdivision. Each appraisal shall be
12 conducted by a state-certified real estate appraiser without
13 consultation with the appraiser conducting the other independent
14 appraisal, and shall be conducted in accordance with generally
15 accepted standards of professional appraisal practice as described in

16 the Uniform Standards of Professional Appraisal Practice issued by the
 17 Appraisal Standards Board of the Appraisal Foundation pursuant to
 18 Title XI of FIRREA and any regulations adopted pursuant to section
 19 20-504. Each appraiser shall provide a copy of the appraisal to the
 20 agency and the property owner. The amount of compensation for such
 21 real property shall be equal to the average of the amounts determined
 22 by the two independent appraisals, except that (A) the compensation
 23 for any real property to be acquired by eminent domain pursuant to
 24 section 8-193 or by condemnation pursuant to section 32-224 shall be
 25 one hundred twenty-five per cent of such average amount, and (B) for
 26 any real property to be acquired by eminent domain pursuant to
 27 section 10-241a, if the average of the amounts determined by the two
 28 independent appraisals is less than the present true and actual value of
 29 such real property according to the most recent grand list, the
 30 compensation for such real property shall be equal to the average of
 31 the amounts determined by the two independent appraisals or the
 32 present true and actual value of such real property. If the agency
 33 acquires real property that is subject to this subdivision five years or
 34 more after acquiring another parcel of real property within one
 35 thousand feet of the property pursuant to a redevelopment plan or
 36 development plan, the agency shall increase the amount of
 37 compensation for the subsequent acquisition of real property by an
 38 additional five per cent for each year from the sixth year until the tenth
 39 year after the acquisition of the first parcel of real property. With
 40 respect to a redevelopment plan or development plan for a project that
 41 is funded in whole or in part by federal funds, the provisions of this
 42 subdivision shall not apply to the extent that such provisions are
 43 prohibited by federal law."

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | 8-129(a)(2) |