

Judiciary Committee JOINT FAVORABLE REPORT

Bill No.: SB-517

AN ACT CONCERNING THE PROVISION OF NOTICE OF CONDEMNATION
AND ASSESSMENT OF DAMAGES FROM THE COMMISSIONER OF

Title: TRANSPORTATION TO A PERSON HAVING AN INTEREST OF RECORD.

Vote Date: 4/2/2018

Vote Action: Joint Favorable

PH Date: 3/26/2018

File No.: 554

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SPONSORS OF BILL:

Judiciary Committee

REASONS FOR BILL:

Under current law, the Department of Transportation (DOT) commissioner must give notice of the assessment to each person who has an interest of record in the land. The bill allows the commissioner to send such notice to the person or the person's designated agent.

By law, DOT may take a person's land for a number of reasons, including when it is needed for the layout, alteration, extension, widening, or other improvement of a state highway ("eminent domain"). However, the state must pay the property owner for all damages. The DOT commissioner must (1) assess the damages, (2) file the assessment with the Superior Court for the judicial district where the land is located, and (3) sign and file a certificate with the town clerk to record the taking of the property.

RESPONSE FROM ADMINISTRATION/AGENCY:

None expressed.

NATURE AND SOURCES OF SUPPORT:

None expressed.

NATURE AND SOURCES OF OPPOSITION:

None expressed.

Reported by: Tamara Morris

Date: April 23, 2018

