

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 18-62—sSB 517
Judiciary Committee

**AN ACT CONCERNING THE PROVISION OF NOTICE OF
CONDEMNATION AND ASSESSMENT OF DAMAGES FROM THE
COMMISSIONER OF TRANSPORTATION TO A PERSON HAVING AN
INTEREST OF RECORD**

SUMMARY: This act allows the Department of Transportation (DOT) commissioner to serve process to the designated agent of a person who has an interest of record in land involved in an eminent domain-related proceeding.

By law, the DOT commissioner 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.

Under prior law, the commissioner had to give notice of the assessment directly to each person who has an interest of record in the land. Under the act, the commissioner may send such notice to either the person or the person's designated agent.

EFFECTIVE DATE: October 1, 2018