



NFIB

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**TESTIMONY OF
NFIB
SUPPORTING
HB-5123, AA PROHIBITING THE USE OF EMINENT DOMAIN FOR COMMERCIAL PURPOSES
BEFORE THE
PLANNING & DEVELOPMENT COMMITTEE
FEBRUARY 13, 2019**

NFIB (the National Federation of Independent Business) is the leading small business association in the nation with thousands of members in Connecticut representing a cross-section of the state's economy. For more than 75 years, NFIB has been advocating on behalf of America's small and independent business owners, both in Washington, D.C., and in all 50 state capitals. NFIB is nonprofit, nonpartisan, and member-driven. Since our founding in 1943, NFIB has been exclusively dedicated to small and independent businesses and remains so today. On behalf of those small- and independent- job-providers in Connecticut, NFIB offers the following comments:

NFIB supports the concept contained in HB-5123 and encourages the Committee to move forward and further develop this important legislation that protects private property rights.

Ever since the 2005 U.S. Supreme Court ruling in *Kelo v. the City of New London*, NFIB has been on the forefront of the eminent domain issues, fighting alongside small business owners and homeowners to prevent their property from wrongful takings. Here in Connecticut, support for restricting the government's power of eminent domain resonates soundly. Results of past NFIB State Member Ballots indicate a majority of our small business owner members favor restricting eminent domain powers. This includes support for limiting state government taking authority for non-public or commercial purposes.

Eminent domain forces small businesses to relinquish their assets, often without full compensation for subjective, but nevertheless substantial harms – including relocation expenses, business goodwill, legal expenses and the cost of replacing condemned property. Losses related to condemnation and undervaluation imposes special hardships on small businesses, which may be unable to reopen, recoup losses, or may fail in a new location. State government condemnation authority of private property, including that of small business owners, should not extend to commercial purposes.

Thank you for the opportunity to comment in support of this legislation. For any questions or additional information, please contact Andy Markowski, NFIB's State Director in Connecticut, at 860-248-NFIB.