

**Hall of the House of Representatives**  
89th General Assembly - Regular Session, 2013  
**Amendment Form**

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**Subtitle of House Bill No. 1042**

TO AMEND THE LAWS CONCERNING EMINENT DOMAIN.

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**Amendment No. 2 to House Bill No. 1042**

Amend House Bill No. 1042 as engrossed, H3/25/13 (version: 03/25/2013 11:28:16 AM):

Immediately before SECTION 1 of the bill, add a new section to read as follows:

“SECTION 1. DO NOT CODIFY. Findings and intent.

(a) In 2005, the United States Supreme Court issued a ruling in Kelo v. City of New London that could potentially change the landscape for eminent domain matters across the country.

(b) The purpose of this bill is to emphasize and promote the protection of private property from government taking for a private use.

(c) It is the intent of this bill that an entity given the power of eminent domain by law shall not condemn property for the purposes of:

(1) Developing private retail, office, commercial, industrial, or residential development;

(2) Enhancing tax revenue; or

(3) Transferring property to another entity to achieve a purpose distinct from the initial purpose stated for commencement of an eminent domain proceeding.

(d)(1) It is not the intent of this bill to extend any new powers to the entities exempted under this bill.

(2) The entities are exempted as they are not within the scope of this bill.”

AND

Appropriately renumber the remaining sections of the bill



The Amendment was read \_\_\_\_\_

By: Representative Bell

KLL/KLL - 04-17-2013 12:07:31

KLL335

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Chief Clerk