

Hall of the House of Representatives
93rd General Assembly - Regular Session, 2021
Amendment Form

Subtitle of Senate Bill No. 334

TO AMEND THE LAW CONCERNING THE USE OF EMINENT DOMAIN BY A STATE AGENCY; AND TO
ADD NEW DEFINITIONS UNDER EMINENT DOMAIN.

Amendment No. 1 to Senate Bill 334

Amend Senate Bill No. 334 as engrossed S3/4/21 (version: 03/04/2021 1:27:57 PM):

Page 3, line 1, delete "(B)" and substitute "(B)(i)"

AND

Page 3, delete line 4, and substitute the following:

"employment.

(ii) However, a taking of private property for a public use as defined in subdivision (3)(A) of this section is not prohibited because the public use also provides ancillary economic benefits; and"

AND

Page 4, delete line 3, and substitute the following:

"(a) Unless otherwise agreed by the parties or determined by a court of law, the owner of private property may raise a defense or bring a cause of action in"

AND

Page 4, line 13, delete "(c)" and substitute "(c)(1)"

AND

Page 4, line 16, delete "(1)" and substitute "(A)"

AND

Page 4, line 18, delete "(2)" and substitute "(B)"

AND



Page 4, line 21, delete "(3)" and substitute "(C)"

AND

Page 4, line 23, delete "(4)" and substitute "(D)"

AND

Page 4, delete line 24, and substitute the following:

"other property with the consent of the owner of the property without an unreasonable increase in cost or delay.

(2) The Arkansas Department of Transportation is exempt from the burden of proving whether the taking is necessary to achieve a public use as required under subdivision (c)(1) of this section.

(d) A cause of action under this section shall not be exercised more than one hundred eighty (180) days after the date the owner of the property received reasonable notice of a condemnation under this chapter."

The Amendment was read _____

By: Representative Gonzales

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DTP229

Chief Clerk