

ARKANSAS SENATE
90th General Assembly - Regular Session, 2015
Amendment Form

Subtitle of Senate Bill No. 753
TO AMEND EMINENT DOMAIN LAWS.

Amendment No. 1 to Senate Bill No. 753

Amend Senate Bill No. 753 as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 18, Chapter 15, Subchapter 1, is amended to add an additional section to read as follows:

18-15-103. Damages.

(a) The General Assembly finds that:

(1) Often eminent domain actions create situations in which a private property owner who is not involved in the eminent domain action has the value of his or her property negatively affected;

(2) In these situations the private property owner who was affected has no legal recourse; and

(3) The state or other entity exercising eminent domain should compensate the private property owner for the loss in market value in his or her property.

(b) If the state or other entity exercising eminent domain reduces the fair market value of real property that is not the subject of the eminent domain action, the state or other entity shall compensate the private property owner for the loss in market value of the property.

SECTION 2. Arkansas Code § 23-18-528, concerning eminent domain by a public utility, is amended to add an additional subsection to read as follows:

(j) A major utility facility shall not be entitled to the right of eminent domain if the major utility facility requires parties in an action before the Arkansas Public Service Commission to enter into nondisclosure agreements."



The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator B. King

KLC/LLW - 03-17-2015 11:43:25

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Secretary