

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015

As Engrossed: S3/18/15

A Bill

SENATE BILL 753

4
5 By: Senator B. King

For An Act To Be Entitled

8 AN ACT TO AMEND EMINENT DOMAIN LAW; AND FOR OTHER
9 PURPOSES.

Subtitle

12 TO AMEND EMINENT DOMAIN LAWS.

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13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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

20 *18-15-103. Damages.*

21 *(a) The General Assembly finds that:*

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

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

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

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

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



1 *follows:*

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

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/s/B. King

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