1   State of Arkansas

2   91st General Assembly

A Bill

3   Regular Session, 2017

HOUSE BILL 1667

4

5   By: Representative Beck

6

7   **For An Act To Be Entitled**

8   AN ACT TO AMEND THE LAW CONCERNING A PROPERTY OWNER'S

9   BILL OF RIGHTS; AND FOR OTHER PURPOSES.

10

11

12   **Subtitle**

13   TO AMEND THE LAW CONCERNING A PROPERTY

14   OWNER'S BILL OF RIGHTS.

15

16

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

18

19   SECTION 1. Arkansas Code § 18-15-103(b)(6), concerning good faith

20   offers to buy private property before initiating a condemnation proceeding,

21   is amended to read as follows:

22   (6) An entity shall make a <u>written</u> good faith offer to buy the

23   property owner's private property before initiating a condemnation

24   proceeding;

25

26   SECTION 2. Arkansas Code § 18-15-103(b)(11)(A), concerning costs,

27   expenses, and attorney's fees awarded to a property owner in a condemnation

28   proceeding, is amended to read as follows:

29   (11)(A) Except as provided in subdivision (b)(11)(B) of this

30   section, in a condemnation brought under the laws of this state, a property

31   owner shall be entitled to an award of the property owner's costs, expenses,

32   and reasonable attorney's fees incurred in preparing and conducting the final

33   hearing and adjudication, including without limitation the cost of appraisals

34   and fees for experts if the compensation ultimately awarded exceeds the

35   condemning entity's <u>written good faith offer required under subdivision</u>

36   <u>(b)(6) of this section</u> ~~initial assessment of the just compensation owed~~ by

1 twenty percent (20%) or more.

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36