



House of Representatives *State of Utah*

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February 17, 2005

Mr. Speaker:

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 256**, LOCAL GOVERNMENT ACQUISITION OF REAL PROPERTY, by Representative A. Hardy, with the following amendments:

1. *Page 5, Lines 127 through 131:*

127 (6) (a) Each municipality that intends to acquire real property by eminent domain under

**** Some lines not shown ****

131 with the property owner's rights in an eminent domain proceeding.

(b) For purposes of Subsection (1)(c), water rights that are located outside the municipality and are not appurtenant to an interest in real property do not constitute real property that may be acquired by a municipality by eminent domain.

2. *Page 5, Lines 147 through 149:*

147 (F) subject to Subsection (1)(c), acquire, by eminent domain, real property, or an
148 undivided, fractional, or other interest in real property, {~~that is necessary or~~
convenient for the

149 purposes contemplated in the agreement creating} for the benefit of the
interlocal entity, regardless of whether the

3. *Page 6, Lines 174 through 178:*

174 (c) (i) Each interlocal entity that intends to acquire real property by eminent domain under

**** Some lines not shown ****

178 with the property owner's rights in an eminent domain proceeding.

(ii) For purposes of Subsection (1)(a)(i)(F), water rights that are located outside the boundaries of the interlocal entity and are not appurtenant to an interest

Bill Number



HB0256

Action Class



H

Action Code



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in real property do not constitute real property that may be acquired by an interlocal entity by eminent domain.

Respectfully,

Brad L. Dee
Committee Chair

Voting: 8-2-1

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Action Class



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