



House of Representatives *State of Utah*

W030 STATE CAPITOL COMPLEX • P.O. BOX 145030
SALT LAKE CITY, UTAH 84114-5030 • (801) 538-1029

February 15, 2007

Mr. Speaker:

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 365**, EMINENT DOMAIN AUTHORITY OF COMMUNITY DEVELOPMENT AND RENEWAL AGENCIES, by Representative S. Urquhart, with the following amendments:

1. *Page 1, Line 15:*

15 eminent domain in an urban renewal project area under certain circumstances and in an earlier established project area if, under prior law, the agency made a finding of blight and other conditions are met ;

2. *Page 1, Line 22:*

22 may acquire property by eminent domain;
▶ provides that an agency need not provide relocation assistance to an owner of property that does not qualify for the 45% residential reduction in fair market value;

3. *Page 2, Line 49:*

49 (a) any interest in property within an urban renewal project area, subject to Chapter 2, Part 6, Eminent

4. *Page 3, Lines 78 through 79:*

78 property ;
(a) within an urban renewal project area if:
79 ~~{(a)}~~ (i) the agency board makes a finding of blight under Part 3, Blight Determination in

Bill Number



HB0365

Action Class



H

Action Code



HCRAMD

5. Page 3, Lines 82 through 84:

82 ~~{(b)}~~ (ii) the urban renewal project area plan provides for the use of
 eminent domain; and
83 ~~{(c)}~~ (iii) the agency commences the acquisition of the property within five
 years after the
84 effective date of the urban renewal project area plan ~~{.}~~ ; or
 (b) within a project area established after December 31, 2001 but before April
 30, 2007 if:
 (i) the agency board made a finding of blight with respect to the project area as
 provided under the law in effect at the time of the finding;
 (ii) the project area plan provides for the use of eminent domain; and
 (iii) the agency commences the acquisition of the property before January 1,
 2010.

6. Page 4, Lines 102 through 105:

102 (4) (a) Subject to Subsection (4)(b), an agency may acquire by eminent domain
103 property ~~{within the urban renewal project area}~~ that is already devoted to a
 public use and located in:
 (i) an urban renewal project area; or
 (ii) a project area described in Subsection (1)(b) .
104 (b) An agency may not acquire property of a public entity ~~{within an urban~~
 renewal
105 ~~project area}~~ under Subsection (4)(a) without the public entity's consent.

7. Page 4, Line 106:

106 (5) ~~{Each}~~ (a) Except as provided in Subsection (5)(b), each agency that
 acquires property by eminent domain shall comply with Title 57.

8. Page 4, Line 107:

107 Chapter 12, Utah Relocation Assistance Act.

Bill Number



HB0365

Action Class



H

Action Code



HCRAMD

(b) An agency need not provide relocation assistance under Title 57, Chapter 12, Utah Relocation Assistance Act, to an owner of property that does not qualify for the 45% fair market value reduction under Section 59-2-103.

Respectfully,

Fred R Hunsaker
Committee Chair

Voting: 10-0-1

3 HB0365.HC1.WPD 2/15/07 9:13 am jwade/JTW RHR/JTW

Bill Number



HB0365

Action Class



H

Action Code



HCRAMD