

**H.B. 334**  
**EMINENT DOMAIN**

Representative **Lorie D. Fowlke** proposes the following amendments:

1. *Page 1, Lines 15 through 16*

*House Committee Amendments*

2-1-2007:

15            { ~~→ excludes emergency access ways as a public use for which eminent domain may be~~  
16   **used;** }

2. *Page 2, Lines 52 through 53*

*House Committee Amendments*

2-1-2007:

52            (e) roads, streets, and alleys for public vehicular use, excluding { ~~→~~  
53   ~~—— (i)~~ } trails, paths, or other ways for walking, hiking, bicycling, equestrian use, or other

3. *Page 2, Line 56*

*House Committee Amendments*

2-1-2007:

56            { ~~(ii) paths, lanes, or other ways for emergency access; and~~ }

4. *Page 4, Line 120 through Page 5, Line 130*

*House Committee Amendments*

2-1-2007:

120            { ~~(2) The change to Subsection 78-34-1(3) made by S.B. 117 was intended as a~~  
121   reaffirmation of then existing law and was an effort to state explicitly an existing principle of  
122   eminent domain that had not previously been as explicitly stated. A clarification of the intent  
123   behind the change to Subsection 78-34-1(3) will benefit all those applying and interpreting this  
124   provision of the Utah Code.  
125   ~~—— (3) The Legislature viewed Section 78-34-1, before the passage of S.B. 117 from the~~  
126   2006 General Session, as excluding trails, paths, or other ways for walking, hiking, bicycling,  
127   equestrian use, or other recreational uses, from the public uses for which eminent domain may  
128   be used. }  
129            { ~~(4)~~ }    (2)    In passing S.B. 117, it was the intent of the Legislature that the addition of new  
130   language to Subsection 78-34-1(3) after the word "alleys" was    { to reaffirm the existing law and }

