

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 652

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**Version:** As introduced

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**Subject:** Eminent domain

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### Overview

This bill makes changes to the eminent domain procedures in chapter 117. It lengthens the quick-take period, requires reimbursement of expert witness fees and attorney fees to the owner if the final award is 15 percent or more of the original offer of the condemning authority, requires a court to allow additional costs to be paid to the owner, and requires additional costs and fees to be paid to the owner when property is acquired by direct purchase. This bill is substantially the same as H.F. 591 from the 2000 session as it was passed by the House Local Government and Metropolitan Affairs Committee to the Civil Law Committee.

### Section

- 1 **Possession (quick-take).** Increases from 90 days to nine months the time in which a condemning authority must provide notice to an owner that the authority intends to take possession of the property before the filing of an award by the court appointed commissioners.
- 2 **Reimbursement of costs.** Entitles a property owner to reimbursement of all reasonable costs related to an eminent domain proceeding if the final award exceeds the original offer of compensation by the condemning authority by 15 percent or more.
- 3 **Costs.** Requires, rather than permits, the court to allow as costs the reasonable expert witness and appraisal fees of the owner.
- 4 **Direct purchase.** Adds expert fees, attorney fees, and any other costs and disbursements of the owner to the costs the purchaser (condemning authority) must pay in acquiring the property by direct purchase.