

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 754

DATE: April 2, 2003

Version: As introduced

Authors: Osterman and others

Subject: Eminent domain; displaced person defined

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Section

- 1** Strikes the current eminent domain definition of "displaced person" (a person who moves as a result of acquisition undertaken by an acquiring authority or a result of voluntary rehabilitation carried out pursuant to, or because of, acquisition).

Adopts instead the federal law definition of displaced person that applies when federal money is involved in an acquisition. The bill adopts many sections of federal law and regulations. Key concepts from one section are that the person moves (1) as a direct result of a written notice of intent to acquire or the acquisition of real property, or (2) the person is a residential tenant or conducts a farm, a small business, or any business conducted for a lawful purpose. "Displaced person" does not include (1) someone unlawfully occupying the dwelling or occupying it for purposes of obtaining relocation assistance, or (2) someone renting for a short period subject to termination when the property is taken.

- 2** **Effective date.** Immediate.