

2000 SESSION

INTRODUCED

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HOUSE BILL NO. 1123

Offered January 24, 2000

A BILL to amend the Code of Virginia by adding a section numbered 33.1-95.1, relating to Commonwealth Transportation Commissioner; eminent domain.

Patrons—Bryant, Cox, Griffith, Howell, Ingram, Jones, S.C., Kilgore, May, Moran, Orrock, Putney, Reid and Shuler; Senators: Colgan, Marye and Norment

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 33.1-95.1 as follows:

§ 33.1-95.1. Notice of exercise of eminent domain power; evidence of value.

Notwithstanding anything to the contrary contained in this chapter or in Chapter 1.1 (§ 25-46.1 et seq.) of Title 25:

1. The Commonwealth Transportation Commissioner shall notify every owner of a building, structure or other improvement, of which the Commissioner has record notice or actual knowledge, if the Commissioner intends to exercise the power of eminent domain in a manner that would result in a taking of the building, structure or other improvement; and

2. The owner of such building, structure or other improvement shall be authorized to present evidence of the fair market value of such building, structure or other improvement in the proceedings described in § 25-46.21.

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