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HOUSE BILL NO. 746

Offered January 11, 2006

Prefiled January 10, 2006

A *BILL to amend and reenact § 25.1-101 of the Code of Virginia, relating to eminent domain; economic development.*

Patron—Purkey

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 25.1-101 of the Code of Virginia is amended and reenacted as follows:

§ 25.1-101. Condemnation by state institutions.

A. Any state institution may acquire by condemnation title to (i) land, (ii) any easement thereover or (iii) any sand, earth, gravel, water or other necessary material for the purpose of opening, constructing, repairing or maintaining a road or for any other authorized public undertaking; however, such acquisition by condemnation shall only be commenced if the terms of purchase cannot be agreed upon or the owner (a) is unknown, (b) cannot with reasonable diligence be found within this Commonwealth or (c) cannot negotiate an agreement or convey legal title to the property because the owner is a person under a disability. *No state funds shall be used for any condemnation undertaken for purposes of economic development, including blight removal, unless approved by the General Assembly and the Governor.*

B. Condemnation proceedings authorized by subsection A shall be conducted under the provisions of Chapter 2 (§ 25.1-200 et seq.) of this title insofar as applicable.

INTRODUCED

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