

2007 SESSION

INTRODUCED

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HOUSE BILL NO. 1820

Offered January 10, 2007

Prefiled January 3, 2007

A *BILL to amend and reenact § 15.2-1901 of the Code of Virginia, relating to condemnation by authorities.*

Patrons—Suit and Dudley; Senator: Hanger

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-1901 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-1901. Condemnation authority.

A. In addition to the authority granted to localities pursuant to any applicable charter provision or other provision of law, whenever a locality is authorized to acquire real or personal property or property interests for a public use, it may do so by exercise of the power of eminent domain, except as provided in subsection B.

B. A locality may acquire property or property interests outside its boundaries by exercise of the power of eminent domain only if such authority is expressly conferred by general law or special act. However, cities and towns shall have the right to acquire property outside their boundaries for the purposes set forth in § 15.2-2109 by exercise of the power of eminent domain. The exercise of such condemnation authority by a city or town shall not be construed to exempt the municipality from the provisions of subsection F of § 56-580.

C. *Notwithstanding any other provision of law, general or special, any exercise of the power of eminent domain initiated by an authority after July 1, 2007, must first be approved by the governing body of the locality in which the power is to be exercised.*

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