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**SENATE BILL NO. 194**

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee for Courts of Justice  
on February 5, 2014)

(Patron Prior to Substitute—Senator Black)

*A BILL to amend and reenact § 8.01-187 of the Code of Virginia, relating to date of valuation; inverse condemnation proceeding.*

**Be it enacted by the General Assembly of Virginia:**

**1. That § 8.01-187 of the Code of Virginia is amended and reenacted as follows:**

**§ 8.01-187. Commissioners or condemnation jurors to determine compensation for property taken or damaged.**

Whenever it is determined in a declaratory judgment proceeding that a person's property has been taken or damaged within the meaning of Article I, Section 11 of the Constitution of Virginia and compensation has not been paid or any action taken to determine the compensation within 60 days following the entry of such judgment order or decree, the court which entered the order or decree may, upon motion of such person after reasonable notice to the adverse party, enter a further order appointing commissioners or condemnation jurors to determine the compensation. The appointment of commissioners or condemnation jurors and all proceedings thereafter shall be governed by the procedure prescribed for the condemning authority. *Notwithstanding the provisions of § 25.1-100, the date of valuation in actions pursuant to this section shall be the date determined by the court to be the date the property was taken or damaged.*

**SENATE SUBSTITUTE**

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