

1996 SESSION

SENATE SUBSTITUTE

968202360

HOUSE BILL NO. 586

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice
on February 28, 1996)

(Patron Prior to Substitute—Delegate Moore)

A BILL to amend and reenact § 25-233 of the Code of Virginia, relating to condemnation.

Be it enacted by the General Assembly of Virginia:

1. That § 25-233 of the Code of Virginia are amended and reenacted as follows:

§ 25-233. Condemnation of property of corporation possessing power of eminent domain.

No corporation *or authority created under the provisions of Chapter 39 of Title 15.1* shall take by condemnation proceedings any property belonging to any other corporation possessing the power of eminent domain, unless, after hearing all parties in interest, the State Corporation Commission shall certify that a public necessity or that an essential public convenience shall so require, and shall give its permission thereto; and in no event shall one corporation take by condemnation proceedings any property owned by and essential to the purposes of another corporation possessing the power of eminent domain. *If the State Corporation Commission gives its permission to a condemnation, the Commission shall establish for use in any condemnation proceeding whether any payment for stranded investment is appropriate and, if so, the amount of such payment and any conditions thereof.*

SENATE SUBSTITUTE

HB586S1