

1997 SESSION

SENATE SUBSTITUTE

971421613

SENATE BILL NO. 1168

FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by Senator Benedetti

on January 27, 1997)

(Patron Prior to Substitute—Senator Benedetti)

A BILL to amend and reenact § 25-46.20:1 of the Code of Virginia and to amend and reenact the fourth enactment of Chapter 520 of the Acts of Assembly of 1991, as amended, relating to eminent domain commissioners.

Be it enacted by the General Assembly of Virginia:

1. That § 25-46.20:1 of the Code of Virginia is amended and reenacted as follows:

§ 25-46.20:1. (Effective until July 1, 1997) Jury commission to select condemnation commissioners when Commonwealth Transportation Commissioner is condemnor; qualifications of commissioners; preparation of list.

The jury commissioners established pursuant to Chapter 11 (§ 8.01-336 et seq.) of Title 8.01 shall also select condemnation commissioners when the Commonwealth Transportation Commissioner is the condemnor in any county with the urban county executive form of government, or in a city adjacent to or completely surrounded by such a county, or in a county contiguous to any such county, or in a city adjacent to or completely surrounded by such a contiguous county, or in any town within such contiguous county, *or in a city having a population greater than 390,000*. The jury commissioners shall select as condemnation commissioners persons who are (i) residents of the county or city in which the property to be condemned, or the greater portion thereof, is situated and (ii) disinterested freeholders of property within the jurisdiction. No person shall be eligible as a commissioner when he, or any person for him, solicits or requests a member of the jury commission to place his name on a list of condemnation commissioners. The provisions of §§ 8.01-345, 8.01-346, 8.01-347, 8.01-356, and 8.01-358 relating to procedures for preparing this list from which commissioners will be chosen, penalties for failure to appear and voir dire examination shall apply to condemnation commissioners mutatis mutandis.

2. That the fourth enactment of Chapter 520 of the Acts of Assembly of 1991, as amended, is amended and reenacted as follows:

4. That the amendments included in this act shall expire on July 1, ~~1997~~ 2000, and shall continue in force as it existed prior to July 1, 1991.

SENATE SUBSTITUTE

SB1168S1