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**SENATE BILL NO. 641**

Senate Amendments in [ ] — February 17, 1998

*A BILL to amend and reenact § 25-46.5 of the Code of Virginia, relating to condemnation; bona fide effort to purchase.*

Patrons—Mims and Reynolds; Delegate: May

Referred to the Committee for Courts of Justice

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

**1. That § 25-46.5 of the Code of Virginia is amended and reenacted as follows:**

§ 25-46.5. Effort to purchase required.

A. No proceedings shall be taken to condemn property until a bona fide but ineffectual effort has been made to acquire from the owner by purchase the property sought to be condemned, except where such consent cannot be obtained because of the incapacity of one or more of the owners or because one or more of such owners is unable to convey legal title to such property or is unknown or cannot with reasonable diligence be found within this Commonwealth.

*B. Such bona fide effort shall include [ (i) a written statement to the owner which explains the condemnor's basis for its offer and (ii) appraisals or other estimations of value which support the condemnor's offer. a written statement to the owner which explains the factual basis for its offer. ]*

ENGROSSED

SB641E