

2007 SESSION

INTRODUCED

075245220

HOUSE BILL NO. 2397

Offered January 10, 2007

Prefiled January 9, 2007

A BILL to amend the Code of Virginia by adding a section numbered 25.1-205.2, relating to the burden of establishing public use in condemnation cases.

Patrons—Athey, Frederick, Jones, S.C., McQuigg and Sherwood

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 25.1-205.2 as follows:

§ 25.1-205.2. The burden of establishing public use; condemnor.

In any condemnation action the condemnor shall establish, by a preponderance of the evidence, that the proposed public use being relied upon as the basis for the taking is a public use that directly benefits adjacent landowners and the community in proximity to the property that is the subject of the condemnation action.

INTRODUCED

HB2397