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HOUSE BILL NO. 2072

House Amendments in [] — January 29, 2013

A BILL to amend and reenact § 15.2-1901 of the Code of Virginia, relating to condemnation.

Patron Prior to Engrossment—Delegate Peace

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:**1. That § 15.2-1901 of the Code of Virginia is amended and reenacted as follows:****§ 15.2-1901. Condemnation authority.**

A. In addition to the authority granted to localities pursuant to any applicable charter provision or other provision of law, whenever a locality is authorized to acquire real or personal property or property interests for a public use, it may do so by exercise of the power of eminent domain, except as provided in subsection B.

B. A locality may acquire property or property interests outside its boundaries by exercise of the power of eminent domain only if such authority is expressly conferred by general law or special act. However, cities and towns shall have the right to acquire property outside their boundaries for the purposes set forth in § 15.2-2109 by exercise of the power of eminent domain. The exercise of such condemnation authority by a city or town shall not be construed to exempt the municipality from the provisions of subsection F of § 56-580.

C. Notwithstanding any other provision of law, general or special, no locality shall condition or delay the timely consideration of any application for or grant of any permit or other approval for any real property over which it enjoys jurisdiction for the purpose, expressed or implied, of allowing the locality to condemn or otherwise acquire the property or to commence any process to consider whether to undertake condemnation or acquisition of the property.

[2. That nothing in this Act shall limit the authority of a locality to accept or approve proffer or special exception conditions involving public acquisition of land pursuant to Chapter 22 (§ 15.2-2200 et seq.) of Title 15.2.]

ENGROSSED

HB2072E