

2017 -- H 5928

LC002109

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - PROPERTY -- EMINENT
DOMAIN

Introduced By: Representatives Roberts, Price, Mendonca, Nardolillo, and Chippendale

Date Introduced: March 16, 2017

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-64.12-8 of the General Laws in Chapter 42-64.12 entitled
2 "Eminent Domain" is hereby amended to read as follows:

3 **42-64.12-8. Compensation for eminent domain takings for economic development**
4 **purposes.**

5 Owners of property taken for economic development purposes shall be compensated for:

6 (a) A minimum of one hundred fifty percent (150%) of the fair market value of the real
7 property.

8 (b) Expenses incidental to transfer of ownership to the acquiring entity, including, but not
9 limited to, recording fees and transfer taxes, evidence of title and surveys and legal descriptions,
10 penalty costs and other charges for prepaying mortgages entered into in good faith, a pro rata
11 share of any prepaid property taxes or assessments for public utilities.

12 (c) Relocation expenses, including, but not limited to, actual, reasonable and necessary
13 moving and reestablishment expenses.

14 (d) A parcel of land, impounded or otherwise, taken for a public purpose by eminent
15 domain which is not used for the purpose intended shall be offered to the prior owner and/or
16 heirs, successors or assigns at the acquisition price prior to being disposed of in any other way
17 within ten (10) years from the date the parcel of land is taken.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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- 1 This act would permit the prior owner of a parcel of land taken by eminent domain, but
- 2 unused for the purpose intended, to repurchase at the acquisition price.
- 3 This act would take effect upon passage.

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