
SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 707 by Representative Farrar

AMENDMENT NO. 1

On page 1, at the end of line 2, delete "the"

AMENDMENT NO. 2

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Judiciary A and adopted by the Senate on July 7, 2006, on page 1, line 9, after "bid" add a semicolon ";"

AMENDMENT NO. 3

Delete Senate Committee Amendment Nos. 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 proposed by the Senate Committee on Judiciary A and adopted by the Senate on July 7, 2006.

AMENDMENT NO. 4

On page 2, delete lines 17 through 28, and on page 3, delete lines 1 through 9, and insert the following:

"(G)(1) Except for leases or operation agreements for port facilities or airports, the state or political subdivision shall not sell or lease property which has been expropriated and held for not more than thirty years without first offering the property to the original owner or his heir at the current appraised value, or pro rata the compensation paid to the owner at expropriation, whichever is less, or, if there is no heir, to the successor in title to the owner at the time of expropriation at the current appraised value, after which the property can only be transferred by competitive bid open to the general public. After thirty years have passed from the date the property was expropriated, the state or political subdivision may sell or otherwise transfer the property as provided by law.

(2) Within one year after the completion of the project for which the property was expropriated, the state or its political subdivision which expropriated the property shall identify all property which is not necessary for the public purpose of the project and declare the property as surplus property.

(3) All expropriated property identified as surplus property shall be offered for sale to the original owner or his heir at the current appraised value or pro rata the compensation paid to the owner for the expropriation, whichever is less, or, to any other successor in title to the owner at the time of expropriation at the current appraised value, within two years after completion of the project. If the original owner, heir, or other successor in title refuses or fails to purchase the surplus property within three years from completion of the project, then the surplus property may be offered for sale to the general public by competitive bid.

(4) After one year from the completion of the project for which property was expropriated, the original owner or the successor in title may petition the state or political subdivision which expropriated the property to have all or any portion of his property declared surplus. If the state or political subdivision refuses or fails to identify all or any portion of the expropriated property as surplus, the original owner or the successor in title may petition any court of competent jurisdiction to have the property declared surplus."