

## Session 117 - (2007-2008)

### H 3067 General Bill, By Coleman

#### *Similar (S 0130)*

#### **Summary:** Eminent domain

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO REFORM CERTAIN EMINENT DOMAIN PROCEDURES BY ADDING SECTION 4-9-32 SO AS TO PROVIDE FOR PROCEDURES REQUIRED OF A COUNTY BEFORE IT MAY EXERCISE EMINENT DOMAIN; BY ADDING SECTION 28-2-35 SO AS TO PROVIDE PREREQUISITES TO THE EXERCISE OF EMINENT DOMAIN BY A PUBLIC BODY; BY ADDING SECTIONS 28-2-65 AND 28-2-67 SO AS TO PROVIDE THAT THE OWNER OF CONDEMNED PROPERTY HAS THE RIGHT OF FIRST REFUSAL TO REDEEM HIS PROPERTY IF THE CONDEMNING ENTITY DOES NOT USE THE PROPERTY FOR THE INTENDED PUBLIC USE OR IT CONTEMPLATES A SALE TO ANOTHER PARTY; BY ADDING SECTION 28-3-25 SO AS TO REQUIRE WRITTEN APPROVAL BEFORE CERTAIN PUBLIC BODIES MAY EXERCISE EMINENT DOMAIN; TO AMEND SECTION 4-9-30, RELATING TO A COUNTY'S AUTHORITY TO EXERCISE EMINENT DOMAIN, SO AS TO LIMIT THE EXERCISE OF EMINENT DOMAIN FOR SLUM CLEARANCE AND REDEVELOPMENT OF A BLIGHTED AREA BY A COUNTY; TO AMEND SECTION 5-7-50, RELATING TO A MUNICIPALITY'S AUTHORITY TO EXERCISE EMINENT DOMAIN, SO AS TO LIMIT THE EXERCISE OF EMINENT DOMAIN FOR SLUM CLEARANCE AND REDEVELOPMENT OF A BLIGHTED AREA AND TO PROVIDE REQUIRED PROCEDURES BEFORE THE EXERCISE; TO AMEND SECTION 28-2-30, RELATING TO DEFINITIONS FOR PURPOSES OF EXERCISING EMINENT DOMAIN, SO AS TO DEFINE "BLIGHTED", "JUST COMPENSATION", AND "PUBLIC USE"; TO AMEND SECTIONS 28-3-20 AND 28-3-30, BOTH RELATING TO STATE AUTHORITIES WITH EMINENT DOMAIN POWER, SO AS TO SPECIFY PUBLIC ENTITIES OTHER THAN COUNTIES AND MUNICIPALITIES INCLUDING CERTAIN INSTITUTIONS OF HIGHER LEARNING, THE STATE PORTS AUTHORITY, AND THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 31-7-30, AS AMENDED, RELATING TO TIF FOR COUNTIES, SO AS TO DEFINE "AGRICULTURAL REAL PROPERTY" AND "BLIGHTED"; TO AMEND SECTION 6-33-30, RELATING TO TIF FOR MUNICIPALITIES, SO AS TO DEFINE "AGRICULTURAL REAL PROPERTY" AND "BLIGHTED"; TO AMEND SECTION 31-6-30, AS AMENDED, RELATING TO TIF FOR REDEVELOPMENT PROJECTS, SO AS TO REDEFINE "AGRICULTURAL REAL PROPERTY" AND "BLIGHTED" AREAS; AND TO REPEAL SECTIONS 28-2-360 AND 28-2-370, RELATING TO DETERMINATIONS OF JUST COMPENSATION.

**12/13/06 House Prefiled**

**12/13/06 House Referred to Committee on Judiciary**

**01/09/07 House Introduced and read first time HJ-42**

**01/09/07 House Referred to Committee on Judiciary HJ-43**