

Committee on Judiciary

HB 799 — Easements Affecting Real Property Owned by Same Owner

by Rep. Robinson, W. and others (CS/SB 814 by Rules Committee and Senator Yarborough)

The bill provides that a landowner may create a valid easement, servitude, or other interest that affects his or her own land (that is, notwithstanding a “unity of title”). The bill conforms the law on easements and servitudes to modern practices and customs where such easements are commonly created in advance of subdividing property. The bill applies to existing easements or servitudes but does not reinstate an easement or servitude that is invalid for reasons other than unity of title.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect upon becoming law.

Vote: Senate 34-5; House 113-1