

House Joint Resolution

A joint resolution proposing an amendment to Section 6 of Article X of the State Constitution relating to eminent domain.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 6 of Article X of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE X

MISCELLANEOUS

SECTION 6. Eminent domain.--

(a) No private property shall be taken except for a public purpose and with full compensation therefor paid to each owner or secured by deposit in the registry of the court and available to the owner.

(b) Provision may be made by law for the taking of easements, by like proceedings, for the drainage of the land of one person over or through the land of another.

(c) Private property taken by eminent domain pursuant to a petition to initiate condemnation proceedings filed on or after January 2, 2007, may not be conveyed to a natural person or private entity except as provided by general law passed by a three-fifths vote of the membership of each house of the Legislature.

28 BE IT FURTHER RESOLVED that the following statement be
29 placed on the ballot:

30 CONSTITUTIONAL AMENDMENT

31 ARTICLE X, SECTION 6

32 EMINENT DOMAIN.--Proposing an amendment to the State
33 Constitution to prohibit the transfer of private property taken
34 by eminent domain to a natural person or private entity;
35 providing that the Legislature may by general law passed by a
36 three-fifths vote of the membership of each house of the
37 Legislature permit exceptions allowing the transfer of such
38 private property; and providing that this prohibition on the
39 transfer of private property taken by eminent domain is
40 applicable if the petition of taking that initiated the
41 condemnation proceeding was filed on or after January 2, 2007.