

ENROLLED  
HJR 1569, Engrossed 2

2006 Legislature

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

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27 | three-fifths vote of the membership of each house of the  
28 | Legislature.

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

31 | CONSTITUTIONAL AMENDMENT

32 | ARTICLE X, SECTION 6

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