

Bill No. SB 2168

Barcode 790820

CHAMBER ACTION

Senate

House

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Comm: RCS  
04/04/2006 08:22 PM

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The Committee on Judiciary (Webster) recommended the following  
**amendment to amendment** (980844):

**Senate Amendment (with title amendment)**

On page 3, lines 15-24, delete those lines

and insert: 73.021 Petition; contents; burden of proof;  
public purpose limitation.--Those having the right to exercise  
the power of eminent domain may file a petition therefor in  
the circuit court of the county wherein the property lies,  
which petition shall set forth:

(1) The authority under which and the public use or  
purpose for which the property is to be acquired, and that the  
property is reasonably necessary for that public use or  
purpose. The condemning authority has the burden of showing  
reasonable necessity and a public purpose or use. The public  
interest must dominate any private gain. Notwithstanding any  
other provision of law, including any charter provision,  
ordinance, statute, or special law, taking private property  
for the prevention and elimination of slums and blight does  
not satisfy the public-purpose requirement of s. 6(a), Art. X

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1 of the State Constitution;

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4 ===== T I T L E A M E N D M E N T =====

5 And the title is amended as follows:

6           On page 27, line 19, after the semicolon

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8 insert: providing that the prevention of slums and blight

9 does not satisfy the requirement under the State Constitution

10 that a taking be for a public purpose;

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