

By Senator Evers

2-01143-12

20121504

1                   A bill to be entitled  
2           An act relating to eminent domain; creating s. 73.025,  
3           F.S.; providing that any entity having the right to  
4           exercise the power of eminent domain may file a  
5           petition to acquire private property for public use by  
6           condemnation within a specified period after the date  
7           of an administrative determination to acquire the  
8           property; providing that if such a petition is not  
9           filed within the specified period, it is barred for a  
10          specified period; providing an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14           Section 1. Section 73.025, Florida Statutes, is created to  
15 read:

16           73.025 Petitions to acquire property; limitations period;  
17 petitions barred after failure to file.-

18           (1) Notwithstanding any other provision of law, any entity  
19 having the right to exercise the power of eminent domain may  
20 file a petition to acquire private property for public use by  
21 condemnation within 5 years after the date of an administrative  
22 determination to acquire the property.

23           (2) If a petition for condemnation is not filed within the  
24 period provided in subsection (1), the entity may not pursue  
25 condemnation proceedings in regard to the subject property for a  
26 period of 5 years after the expiration of the 5-year period  
27 provided in subsection (1).

28           Section 2. This act shall take effect July 1, 2012.