

March 15, 2007

**H 878. EMINENT DOMAIN.** Filed 3/15/07. *TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY TO BE CONVEYED TO OTHER PRIVATE OWNERS FOR ECONOMIC DEVELOPMENT AND TO PROVIDE FOR THE PROMPT PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES.*

Subject to approval by the voters at the November 7, 2006, general election, adds a new paragraph to section 19 of Article 1 of the North Carolina Constitution (the Law of the Land Clause), effective January 1, 2008, prohibiting the state and its political subdivisions from taking property by eminent domain for the purpose of conveying the property to third parties for economic development, unless that property is blighted as defined by general law. Just compensation must be promptly paid and determined by a jury at the owner's request .

**Intro. by Blue, Stam, J. Harrell, Lewis.**

CONST

May 22, 2007

**H 878. EMINENT DOMAIN.** Filed 3/15/07. House committee substitute makes the following changes to 1st edition. Modifies the proposed constitutional amendment to (1) provide that takings for public use may include takings for access to property and takings of property for which the public use is preserved or utilized, (2) clarify that *blight* refers only to the physical condition of property, (3) remove the requirement that the payment of just compensation be prompt, and (4) remove the provision providing that the transfer of title pending final judgment on the amount of damages if the condemner has deposited a good faith estimate of just compensation is not affected. Provides that the proposed amendment will be submitted to the voters at the next statewide primary or general election (was, November 6, 2007) and, if approved, becomes effective when the State Board of Elections certifies it to the Secretary of State (was, January 1, 2008). Makes conforming changes.

May 23, 2007

**H 878. EMINENT DOMAIN.** Filed 3/15/07. House amendment makes the following changes to 2nd edition. Modifies the proposed constitutional amendment to provide that private property can not be taken except for a public use, including preservation of public use. Also provides that the paragraph (was limited to one sentence) prohibiting the taking of private property does not apply to the taking of blighted properties or to takings for access by the owner to property.