
Local Government & Housing Committee

HB 2340

Brief Description: Regulating the authority of metropolitan municipal corporations to acquire property.

Sponsors: Representatives Sullivan and Cooper.

Brief Summary of Bill

- Prohibits a metropolitan municipal corporation from condemning lands for an essential public facility outside its established service area without findings by the city and county where the land is located that the location is consistent with those jurisdiction's comprehensive plans.

Hearing Date: 2/5/02

Staff: Scott MacColl (786-7106).

Background:

Metropolitan Municipal Corporations can be formed in any area of the state containing two or more cities, at least one of which is of ten thousand or more population. A metropolitan municipal corporation may perform any one or more of the following functions: water pollution abatement, water supply, public transportation, garbage disposal, parks and parkways, and comprehensive planning.

Any county with a population of two hundred ten thousand or more in which a metropolitan municipal corporation has been established countywide may, by ordinance or resolution of the county legislative authority, assume the rights, powers, functions, and obligations of such metropolitan municipal corporation. Any county assuming a metropolitan municipal corporation retains any existing rights acquired under the original provisions.

Metropolitan municipal corporations have the power of eminent domain both within and outside its boundaries for its purposes in the same manner and procedure as cities.

Summary of Bill:

Metropolitan municipal corporations are prohibited from exercising eminent domain for essential public facilities outside its boundaries without a finding of the legislative authority of the city and county in which the land is located that the facility is consistent with that city or county's comprehensive plan.

This prohibition is to be applied retroactively.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.