

HB 2896 - H AMD 1382

By Representative Young

NOT ADOPTED 02/17/2020

1 On page 4, line 29, after "(9)" insert "If the state agency,
2 municipality, or political subdivision determines that all or a
3 portion of the property that is being transferred, leased, or
4 otherwise disposed of in accordance with this section was acquired
5 through condemnation or eminent domain, the former owner has the right
6 to repurchase as described in this subsection. For the purposes of
7 this subsection, "former owner" means the person or entity from whom
8 the state agency, municipality, or political subdivision acquired
9 title. At least ninety days prior to the date on which the property
10 is intended to be transferred, leased, or otherwise disposed of, the
11 state agency, municipality, or political subdivision must mail notice
12 of the planned transfer, lease, or other disposal to the former owner
13 of the property at the former owner's last known address or to a
14 forwarding address if that owner has provided the state agency,
15 municipality, or political subdivision with a forwarding address. If
16 the former owner of the property's last known address, or forwarding
17 address if the forwarding address has been provided, is no longer the
18 former owner of the property's address, the right of repurchase is
19 extinguished. If the former owner notifies the state agency,
20 municipality, or political subdivision within thirty days of the date
21 of the notice that the former owner intends to repurchase the
22 property, the state agency, municipality, or political subdivision
23 must proceed with the sale of the property to the former owner for
24 fair market value and may not list the property for sale to other
25 owners. If the former owner does not provide timely written notice to
26 the state agency, municipality, or political subdivision of the intent
27 to exercise a repurchase right, or if the sale to the former owner is

1 not completed within six months of the date of notice that the former
2 owner intends to repurchase the property, the right of repurchase is
3 extinguished.

4 (10)"

EFFECT: Requires the state agency, municipality, or political subdivision, when transferring, leasing, or otherwise disposing of surplus property for a public benefit purpose, obtained by means of eminent domain or condemnation, to notify the former owner and allow the former owner to repurchase the property at fair market value and prescribes a process and timeline for such a sale.

--- END ---