

Session 116 - (2005-2006)

S 0982 General Bill, By Elliott

Summary: Eminent Domain Procedure Act

A BILL TO AMEND SECTION 28-2-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INTENT OF THE GENERAL ASSEMBLY CONCERNING THE PROVISIONS OF THE EMINENT DOMAIN PROCEDURE ACT, SO AS TO CLARIFY THAT THE GENERAL ASSEMBLY INTENDS THAT THE EXERCISE OF EMINENT DOMAIN IS GOVERNED BY THE LAW AS INTERPRETED BY THE SOUTH CAROLINA SUPREME COURT PRIOR TO THE UNITED STATES SUPREME COURT'S DECISION IN KELO V. CITY OF NEW LONDON, CONNECTICUT AND TO ADD A DECLARATION BASED UPON THE RESTRICTIVE PRINCIPLES THAT HAVE GOVERNED THE SOUTH CAROLINA SUPREME COURT'S DECISIONS; TO AMEND SECTION 28-2-30, RELATING TO DEFINITIONS OF THE EMINENT DOMAIN PROCEDURE ACT, SO AS TO ADD DEFINITIONS FOR THE POWER OF EMINENT DOMAIN AND PUBLIC USE; TO AMEND SECTION 28-2-60, RELATING TO THE APPLICATION OF THE EMINENT DOMAIN PROCEDURE ACT, SO AS TO CHANGE THE TERMINOLOGY IN THAT SECTION FROM PUBLIC PURPOSE TO PUBLIC USE; AND TO AMEND SECTION 28-2-210, RELATING TO ACTIONS IN CONDEMNATION, SO AS TO CHANGE THE TERMINOLOGY IN THAT SECTION FROM PUBLIC PURPOSE TO PUBLIC USE.

12/13/05 Senate Prefiled

12/13/05 Senate Referred to Committee on Judiciary

01/10/06 Senate Introduced and read first time SJ-25

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01/11/06 Senate Referred to Subcommittee: Gregory (ch), Ford, Elliott, Rankin, Sheheen, Campsen