



Friday, February 19, 2016

Capitol Contact ALERT – Call or email your Legislators NOW on Eminent Domain bill

Oppose costly SB 478 in Subcommittee on Monday

[SB 478 \(Obenshain\)](#) amends eminent domain laws in several ways that will make out-of-court settlement of condemnation cases more difficult and will add significantly to the cost of public projects.

This bill passed the Senate with a vote of 37-2.

The bill will be heard on Monday afternoon, February 22, in the [Civil Law Subcommittee](#) of the House Courts of Justice Committee. If SB 478 receives a majority in Subcommittee, it will be in the [House Courts of Justice Committee](#) two days later.

TALKING POINTS

- Increases the likelihood that landowners will have to be compensated for their appraisal fees and other costs of contesting an offer in a condemnation case.
- Removes the current wording exempting easements worth less than \$10,000 from the cost reimbursement obligation, meaning that it could cost thousands of dollars to acquire easements valued at only a few hundred dollars.
- Makes it more difficult for public bodies that have to use eminent domain to get pretrial information about the landowner's expert witness appraisals.

Although SB 478 originally applied to all entities exercising eminent domain powers, it was amended in the Senate to exempt railroads and utility companies from its requirements, leaving it to apply only to local governments and VDOT.

SB 478 will potentially add thousands of dollars of costs to public water and sewer lines, highway improvements and other public construction projects. **Local officials should contact their members on the [Civil Law Subcommittee](#) and full [House Courts of Justice Committee](#) to ask them to oppose SB 478.**

KEY CONTACTS

[Civil Law Subcommittee](#): [Habeb \(Chairman\)](#), [Kilgore](#), [Loupassi](#), [Minchew](#), [Leftwich](#), [Campbell](#), [Miyares](#), [Toscano](#), [McClellan](#), [Krizek](#)

[House Courts of Justice Committee](#): [Albo \(Chairman\)](#), [Kilgore](#), [Bell](#), [Robert B. Cline](#), [Gilbert](#), [Miller](#), [Loupassi](#), [Habeb](#), [Minchew](#), [Morris](#), [Leftwich](#), [Adams](#), [Campbell](#), [Collins](#), [Miyares](#), [Watts](#), [Toscano](#), [Herring](#), [McClellan](#), [Hope](#), [Mason](#), [Krizek](#)

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