

HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 2442 (Formerly HF 804)	House Committee:	PASSED on February 14 (20-0)
Committee:	Judiciary	House Floor:	
Floor Manager:	Rep. Lohse	Senate Floor:	
Date:	March 14, 2022	Governor:	
Staff:	Amanda Wille (1-5230)		

Condemnation- Reduction of Damages

- In a condemnation proceeding, HF 2442, allows the acquiring agency to reduce payment if the property owner does not respond to notices and documents.

Section by Section Analysis

Section 1- Procedure Under Eminent Domain- Costs and Attorney Fees (6B.33)

If the acquiring agency has provided appropriate notice and the property owner has failed to respond after at least two notices then the court or district compensation commission can reduce the amount awarded to the property owner based on the actual costs, and reasonable attorney fees spent by the acquiring agency.

If the additional costs and fees are more than the property is worth, than the compensation commission shall deem the property to have been paid in full.

Section 2- Applicability

Applies to condemnation being filed on or after July 1, 2022.

Amendment Analysis

H-8172-Staed

The board shall not grant a carbon pipeline the right of eminent domain unless the board finds the project is built with a carbon reduction plan.