

Amendment No. 313

Assembly Amendment to Assembly Bill No. 143

(BDR 22-44)

Proposed by: Committee on Judiciary**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
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Amend sec. 2, page 2, line 2, by deleting:

“2, 3 and 4” and inserting “2 and 3”.

Amend sec. 2, page 3, line 1, by deleting “*copy*” and inserting “*summary*”.

Amend sec. 2, page 3, by deleting lines 2 and 3 and inserting:

“which the offer of compensation is based at the time the offer is made.”.

Amend sec. 2, page 3, by deleting line 10 and inserting:

“(2) The nature of the intended redevelopment, at the time of the written offer, for which the property”.

Amend sec. 2, page 3, by deleting lines 14 and 15 and inserting:

AMI/RRY

Date: 4/15/2005

A.B. No. 143—Makes various changes concerning community redevelopment and eminent domain proceedings.



“(4) That the agency has provided a summary of the appraisal report upon which the offer of compensation is based and the location of the office of the agency where the owner may review the full appraisal report;

(5) That the agency will provide copies,”.

Amend sec. 2, page 3, lines 17 and 18, by deleting “***and (5)***” and inserting:

“(6) That the agency will provide the owner with a full copy of the agency’s appraisal report in exchange for a full copy of an appraisal report of an appraisal performed on behalf of the owner; and

(7)”.

Amend sec. 2, page 3, by deleting lines 21 through 23 and inserting:

“acquired plus damages, if any, as appraised by the agency.”.

Amend sec. 2, page 3, line 32, after “***to***” by inserting:

“or served upon”.

Amend sec. 2, pages 3 and 4, by deleting lines 37 through 44 on page 3 and lines 1 through 10 on page 4.

Amend sec. 3, page 4, by deleting lines 15 through 19 and inserting:

“the redevelopment must negotiate in good faith with the owner of the property to reach an agreement to purchase the property from the owner of the property.”.

Amend the bill as a whole by deleting sec. 4 and renumbering sections 5 through 8 as sections 4 through 7.

Amend sec. 5, page 4, line 32, by deleting:

“2, 3 and 4” and inserting ***“2 and 3”***.

Amend sec. 7, page 5, lines 35 and 36, by deleting:

“sections 2 and 3” and inserting *“section 2”*.

Amend sec. 8, page 6, by deleting lines 2 and 3 and inserting:

“279.471 1. ~~[In a county whose population is 100,000 or more, an]~~ **An** agency may exercise the power of eminent domain to acquire”.

Amend sec. 8, page 6, by deleting line 11 and inserting:

“section 2 of this act.”.

Amend the bill as a whole by deleting sec. 9 and renumbering sec. 10 as sec. 8.

Amend sec. 10, page 6, line 39, by deleting:

“October 1, 2005.” and inserting:

“the effective date of this act.”.

Amend the bill as a whole by adding new sections designated sections 9 and 10, following sec. 10, to read as follows:

“Sec. 9. The amendatory provisions of section 5 of this act do not apply to a redevelopment area that is adopted by a governing body before the effective date of this act, but do apply to any annexations thereto that are adopted by the governing body on or after the effective date of this act.

Sec. 10. This act becomes effective upon passage and approval.”.

Amend the title of the bill to read as follows:

“AN ACT relating to property; establishing certain requirements that a redevelopment agency must meet before commencing an eminent domain proceeding against a property owner; making various changes concerning factors characterizing a blighted area for purposes of

the Community Redevelopment Law; and providing other matters properly relating thereto.”.

**If this amendment is adopted, the Legislative
Counsel's Digest will be changed to read as follows:**

Legislative Counsel's Digest:

Existing law allows a redevelopment agency to exercise the power of eminent domain to acquire property for a redevelopment project. (Chapters 37 and 279 of NRS)

This bill requires a redevelopment agency to follow certain procedures before exercising the power of eminent domain to acquire property for a redevelopment project, such as attempting to negotiate in good faith with a property owner and attempting to reach an agreement with the owner regarding the amount of compensation to be paid for the property. A redevelopment agency is required to provide a written offer of compensation and notice to an owner that the property is necessary for redevelopment as well as other information.

This bill provides that an agency must give an owner at least 30 days to accept or reject a written offer of compensation before the agency may commence an eminent domain proceeding.

Existing law allows an agency to prepare plans for the redevelopment of a "blighted area," which is currently defined as an area characterized by at least one of several factors set forth in NRS 279.388. (NRS 279.468)

This bill adds environmental contamination of buildings or property to the factors which characterize a blighted area and increases the number of factors necessary to constitute a blighted area from one or more to at least four.

Existing law provides that in certain larger counties a redevelopment agency may exercise the power of eminent domain for a redevelopment project only if: (1) necessary to carry out the

redevelopment plan; (2) the agency adopts a resolution of necessity; and (3) the agency complies with certain other requirements.

This bill makes those provisions applicable to all counties in this State.