

SENATE BILL NO. 130—COMMITTEE ON JUDICIARY
(ON BEHALF OF THE DEPARTMENT OF TRANSPORTATION)

FEBRUARY 21, 2007

Referred to Committee on Judiciary

SUMMARY—Repeals the prospective expiration of the provision relating to the use and sale of certain property acquired by a governmental entity through eminent domain. (BDR S-588)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to property; repealing the prospective expiration of the provision relating to the use and sale of certain property acquired by a governmental entity through eminent domain; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Senate Bill No. 326 of the 2005 Legislative Session established the requirement that if any governmental entity which has acquired property pursuant to chapter 37 of NRS governing eminent domain fails to use the property for the public purpose for which it was acquired and seeks to sell the property within 15 years after the property is acquired, the person from whom the property was acquired or his successor in interest must be granted the right of first refusal to purchase the property for fair market value, which is deemed to be the amount paid for the acquisition of the property. (Section 3 of chapter 423, Statutes of Nevada 2005, p. 1787) Assembly Bill No. 143 of the 2005 Legislative Session amended that provision so that the right of first refusal and the related provision deeming fair market value to be the amount paid for the acquisition of the property do not apply to property that is acquired through the use of federal funds or purchased as an early or total acquisition at the request of the owner of the property, but set this amendment to expire by limitation on July 1, 2007. (Section 13.5 of chapter 461, Statutes of Nevada 2005, p. 2219)

This bill repeals the prospective expiration of this provision to continue those exceptions indefinitely.



* S B 1 3 0 *

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Section 16 of chapter 461, Statutes of Nevada 2005,
2 at page 2220, is hereby amended to read as follows:

3 Sec. 16. ~~[1.]~~ This act becomes effective upon passage
4 and approval.

5 ~~[2.—Section 13.5 of this act expires by limitation on~~
6 ~~July 1, 2007.]~~

7 **Sec. 2.** This act becomes effective on July 1, 2007.

