

Amendment No. 401

Senate Amendment to Senate Bill No. 326	(BDR 3-78)
Proposed by: Committee on Judiciary	
Amendment Box:	
Resolves Conflicts with: N/A	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: No	

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"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend section 1, page 1, by deleting lines 3 and 4 and inserting:

“1. The right of eminent domain may not be exercised pursuant to subsection 2 or 3 of NRS 37.010”.

Amend sec. 2, page 1, line 14, by deleting “An” and inserting:

“Except as otherwise provided in this subsection, an”.

Amend sec. 2, page 2, line 2, after “domain.” by inserting:

“An agency may exercise the power of eminent domain to acquire a parcel of property that is not blighted for a redevelopment project if the agency adopts a resolution that includes a written finding by the agency that a condition of blight exists for at least two-thirds of the property within the redevelopment area. If an agency acquires a parcel of property that is not blighted on which a

business is conducted, the owner or owners of the business must be compensated for the loss of goodwill resulting from the acquisition of the parcel of property.”.

Amend sec. 3, page 2, line 33, by deleting “The” and inserting:

“1. Except as otherwise provided in subsection 2, the”.

Amend sec. 3, page 2, by deleting line 34 and inserting:

“action in eminent domain that is filed before, on or after July 1, 2005, including any pending action.

2. The provisions of this act do not apply to any action for which a final judgment has been entered and for which no further appeal may be filed.”.

Amend the title of the bill, fourth line, after “domain;” by inserting:

“requiring a redevelopment agency that acquires real property on which a business is conducted to compensate the owner of the business for the loss of goodwill under certain circumstances;”.