

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2007

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HOUSE BILL 878

Short Title: Eminent Domain. (Public)

Sponsors: Representatives Blue, Stam, J. Harrell, Lewis (Primary Sponsors); Adams, Alexander, Allred, Almond, Avila, Barnhart, Bell, Blackwood, Blust, Boylan, Brown, Brubaker, Bryant, Church, Clary, Cleveland, Coates, Cole, Coleman, Crawford, Cunningham, Current, Daughtridge, Daughtry, Dockham, Dollar, Earle, England, Faison, Farmer-Butterfield, Fisher, Folwell, Frye, Gibson, Gillespie, Goforth, Goodwin, Grady, Gulley, Hill, Hilton, Holloway, Howard, Hurley, Johnson, Jones, Justice, Justus, Killian, Kiser, Langdon, Love, Lucas, McAllister, McComas, McElraft, McGee, McLawhorn, Mobley, Moore, Neumann, Owens, Parmon, Pate, Pierce, Rapp, Ray, Samuelson, Saunders, Setzer, Spear, Starnes, Steen, Stiller, Sutton, Tarleton, Thomas, Tillis, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, E. Warren, R. Warren, West, Wiley, Wilkins, Williams, Wray, and Wright.

Referred to: Rules, Calendar, and Operations of the House.

March 19, 2007

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY TO BE CONVEYED TO OTHER PRIVATE OWNERS FOR ECONOMIC DEVELOPMENT AND TO PROVIDE FOR THE PROMPT PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES.

The General Assembly of North Carolina enacts:

**SECTION 1.** Section 19 of Article I of the North Carolina Constitution reads as rewritten:

**"Sec. 19. Law of the land; equal protection of the laws.**

No person shall be taken, imprisoned, or disseized of his freehold, liberties, or privileges, or outlawed, or exiled, or in any manner deprived of his life, liberty, or property, but by the law of the land. No person shall be denied the equal protection of the laws; nor shall any person be subjected to discrimination by the State because of race, color, religion, or national origin.

Private property shall not be taken except for a public use. Public use does not include the taking of property for the purpose of thereafter conveying an interest in the property to a third party for economic development. The previous sentence does not apply to the taking of property which is blighted as defined by general law. Just compensation shall be promptly paid and, if demanded by the owner, shall be

