

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: S3/18/15

A Bill

SENATE BILL 753

By: Senator B. King

For An Act To Be Entitled

AN ACT TO AMEND EMINENT DOMAIN LAW; AND FOR OTHER
PURPOSES.

Subtitle

TO AMEND EMINENT DOMAIN LAWS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 18, Chapter 15, Subchapter 1, is amended to add an additional section to read as follows:

18-15-103. Damages.

(a) The General Assembly finds that:

(1) Often eminent domain actions create situations in which a private property owner who is not involved in the eminent domain action has the value of his or her property negatively affected;

(2) In these situations the private property owner who was affected has no legal recourse; and

(3) The state or other entity exercising eminent domain should compensate the private property owner for the loss in market value in his or her property.

(b) If the state or other entity exercising eminent domain reduces the fair market value of real property that is not the subject of the eminent domain action, the state or other entity shall compensate the private property owner for the loss in market value of the property.

SECTION 2. Arkansas Code § 23-18-528, concerning eminent domain by a public utility, is amended to add an additional subsection to read as



follows:

(j) A major utility facility shall not be entitled to the right of eminent domain if the major utility facility requires parties in an action before the Arkansas Public Service Commission to enter into nondisclosure agreements.

/s/B. King