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HOUSE BILL 746

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

INTRODUCED BY

Richard P. Cheney

AN ACT

RELATING TO ECONOMIC DEVELOPMENT; RESTRICTING THE USE OF
EMINENT DOMAIN WHEN USED TO PROMOTE ECONOMIC DEVELOPMENT;
MAKING AN APPROPRIATION TO INFORM LOCAL PUBLIC BODIES ON THE
PROPER USE OF EMINENT DOMAIN.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Eminent Domain Code is
enacted to read:

"[NEW MATERIAL] LIMITATION ON THE USE OF EMINENT DOMAIN
FOR PURPOSES OF ECONOMIC DEVELOPMENT.--The state or a local
public body shall not condemn private property if the taking is
to promote private or commercial development and title to the
property is transferred to another private entity."

Section 2. APPROPRIATION.--Twenty thousand dollars
(\$20,000) is appropriated from the general fund to the local

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1 government division of the department of finance and
2 administration for expenditure in fiscal year 2007 to hold a
3 series of meetings across the state to educate local public
4 bodies on the proper use of eminent domain powers. Any
5 unexpended or unencumbered balance remaining at the end of
6 fiscal year 2007 shall revert to the general fund.

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