

## Current List of Bills Filed for Consideration During 2020 Legislative Session

### **PROPERTY RIGHTS**

#### **HB 587 & SB 748**

Requires that the state government pay half of the damages in a takings action when the state is a codefendant with a local government located in an area of critical state concern. Obligates the state to pay damages under this act if (1) the court finds liability against both the state and local government, and (2) the state mandated or approved the regulation restricting development or the use of property.

#### **HB 519**

Amends the Bert Harris Act. Recognizes that all similarly situated residential properties are subject to the same rules and regulations. Reduces the notice period a property owner must give to a government before filing a claim from 150 days to 90 days. Provides that properties similarly situated to those properties whose owners negotiate a settlement with a government under this Act are also entitled to a similar settlement unless clear and convincing evidence shows otherwise. Allows a property owner to waive the right to a jury determination on the amount of compensation. Eliminates the provision that forbade consideration of business damages relative to any development in the court's determination of compensation. Eliminates the ability of the government to collect attorneys' fees when a property owner brings a cause of action under this statute. Allows a private property owner to notify a governmental entity that the property owner deems the impact of a law to be restrictive on the use of the land at any time after that law's enactment, if the governmental entity did not provide notice to the affected property owners as provided in the statute. Provides that a prior private property owner shall have the right of first refusal when the state conveys property that it acquired for transportation right-of-way.

#### **CS/HB 203 & SB 410**

Mandates that all local governments include a property rights element within their comprehensive plans in order to ensure that private property rights are considered in local decision-making. Provides suggested language that local governments could utilize for said private property rights section.