

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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HOUSE BILL 2213

Short Title: Eminent Domain. (Public)

Sponsors: Representatives Stam, Harrell, Goforth, Lewis (Primary Sponsors); B. Allen, Allred, Almond, Barnhart, Bell, Blackwood, Blust, Brown, Brubaker, Capps, Church, Clary, Cleveland, Coates, Cole, Coleman, Crawford, Culp, Cunningham, Current, Daughtride, Daughtry, Dockham, Dollar, Eddins, England, Faison, Farmer-Butterfield, Fisher, Folwell, Frye, Gillespie, Goodwin, Grady, Gulley, Hill, Hilton, Hollo, Holloway, Holmes, Howard, Johnson, Jones, Justice, Justus, Kiser, Langdon, LaRoque, Lucas, McComas, McGee, McMahan, Moore, Owens, Parmon, Pate, Pierce, Preston, Rapp, Ray, Rayfield, Rhodes, Sauls, Saunders, Setzer, Sherrill, Spear, Starnes, Steen, Stiller, Tolson, Tucker, Underhill, Vinson, Wainwright, Walend, Walker, Warren, West, Wiley, Williams, Wilson, Womble, and Wray.

Referred to: Judiciary III.

May 18, 2006

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO
2 PROHIBIT CONDEMNATION OF PRIVATE PROPERTY TO BE OWNED BY
3 OTHER PRIVATE OWNERS FOR ECONOMIC DEVELOPMENT, AND TO
4 PROVIDE FOR THE PROMPT PAYMENT OF JUST COMPENSATION WITH
5 RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES.
6

7 The General Assembly of North Carolina enacts:

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

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

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

16 Private property shall not be taken except for a public use. Except if the property to
17 be taken is blighted as defined by general law, public use does not include the
18 ownership of property by a private entity for economic development. Just compensation
19 shall be promptly paid and, if demanded by the owner, shall be determined by a jury."

