

Assembly Bill No. 1322

Passed the Assembly September 4, 2007

Chief Clerk of the Assembly

Passed the Senate August 30, 2007

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2007, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 102 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1322, Duvall. Transportation: eminent domain.

Existing law makes the Department of Transportation responsible for the construction of state highways and authorizes it to do any act necessary for the construction, improvement, maintenance, or use of highways under its jurisdiction, possession, or control. Under existing law, the department is authorized to acquire by eminent domain any property necessary for state highway purposes.

This bill would require the department, for any property that the department is acquiring by, or under threat of, eminent domain, to provide, in a timely manner, to the property owner a copy of all appraisals performed or obtained by the department. The bill would also require the appraiser to provide a copy of those appraisals to the department if they are first provided to the property owner instead of the department.

The people of the State of California do enact as follows:

SECTION 1. Section 102 of the Streets and Highways Code is amended to read:

102. (a) In the name of the people of the State of California, the department may acquire by eminent domain any property necessary for state highway purposes.

(b) For any property that the department is acquiring by, or under threat of, eminent domain, the department shall, in a timely manner, provide a copy of all appraisals it performed or obtained for the property to the property owner. If any appraisals that are performed or paid for by the department are first provided to the property owner, the appraiser shall provide a copy of those appraisals to the department.

Approved _____, 2007

Governor