

Senate Resolution 457

By: Senators Pearson of the 51st, Balfour of the 9th, Smith of the 52nd, Schaefer of the 50th and Rogers of the 21st

A RESOLUTION

1 Creating the Senate Inverse Condemnation Study Committee; and for other purposes.

2 WHEREAS, private property rights are impacted adversely by the exercise of eminent
3 domain and condemnation; and

4 WHEREAS, such rights are often further impacted when government agencies utilize inverse
5 condemnation without the formal exercise of the power of eminent domain; and

6 WHEREAS, a study of current eminent domain practices is necessary to determine whether
7 additional general law regulation of inverse condemnation and eminent domain are needed
8 to protect private property rights.

9 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that there is created the Senate
10 Inverse Condemnation Study Committee to be composed of seven members of the Senate
11 to be appointed by the Senate Committee on Assignments. The Senate Committee on
12 Assignments shall designate a member of the committee as chairperson of the committee.
13 The chairperson shall call all meetings of the committee.

14 BE IT FURTHER RESOLVED that the committee shall undertake a study of the conditions,
15 needs, issues, and problems mentioned above or related thereto and recommend any action
16 or legislation which the committee deems necessary or appropriate. The committee may
17 conduct such meetings at such places and at such times as it may deem necessary or
18 convenient to enable it to exercise fully and effectively its powers, perform its duties, and
19 accomplish the objectives and purposes of this resolution. The members of the committee
20 shall receive the allowances provided for in Code Section 28-1-8 of the Official Code of
21 Georgia Annotated. The allowances authorized by this resolution shall not be received by
22 any member of the committee for more than five days unless additional days are authorized.
23 The funds necessary to carry out the provisions of this resolution shall come from the funds
24 appropriated to the Senate. In the event the committee makes a report of its findings and

1 recommendations, with suggestions for proposed legislation, if any, such report shall be
2 made on or before December 1, 2005. The committee shall stand abolished on December
3 1, 2005.