

AMENDED IN SENATE JULY 17, 2007

AMENDED IN ASSEMBLY MAY 24, 2007

AMENDED IN ASSEMBLY MAY 2, 2007

AMENDED IN ASSEMBLY APRIL 10, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 1322

Introduced by Assembly Member Duvall

February 23, 2007

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

LEGISLATIVE COUNSEL'S DIGEST

AB 1322, as amended, 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 ~~to the owner of the property~~. The bill would *also* require the ~~owner of the property appraiser~~ to provide a copy of those appraisals to the department if they are first provided to the property owner instead of the department.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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

1 SECTION 1. Section 102 of the Streets and Highways Code
2 is amended to read:
3 102. (a) In the name of the people of the State of California,
4 the department may acquire by eminent domain any property
5 necessary for state highway purposes.
6 (b) For any property that the department is acquiring by, *or*
7 *under threat of*, eminent domain, the department shall, in a timely
8 manner, provide a copy of all appraisals it performed or obtained
9 for the property to the property owner. If any appraisals that are
10 performed or paid for by the department are first provided to the
11 property owner, the ~~property owner~~ *appraiser* shall provide a copy
12 of those appraisals to the department.

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