- 1 HB71
- 2 127828-3
- 3 By Representatives Ball and Sanderford
- 4 RFD: County and Municipal Government
- 5 First Read: 01-MAR-11

Τ	<u>ENGROSSED</u>
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4	A BILL
5	TO BE ENTITLED
6	AN ACT
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8	To amend Section 24-1-28, Code of Alabama 1975,
9	relating to municipal public housing authorities; to authorize
10	the authority to exercise the power of eminent domain with the
11	approval of the municipal council.
12	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
13	Section 1. Section 24-1-28 Code of Alabama 1975, is
14	amended to read as follows:
15	" §24-1-28.
16	"The authority, with the approval of the municipal
17	<pre>council, shall have the right to acquire by eminent domain any</pre>
18	property, real or personal, which it may deem necessary to
19	carry out the purposes of this article, after the adoption by
20	it of a resolution declaring that the acquisition of the
21	property described therein is in the public interest and
22	necessary for public use. The authority may exercise the power
23	of eminent domain pursuant to the provisions of Title 18.
24	Property already devoted to a public use may be acquired;
25	provided, that no property belonging to any city within the
26	boundaries of the authority, or to any government, may be

acquired without its consent, and that no property belonging
to a public utility corporation may be acquired without the
approval of the Public Service Commission or other body having
regulatory power over such corporation."

Section 2. This act shall become effective on the
first day of the third month following its passage and
approval by the Governor, or its otherwise becoming law.

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3	House of Representatives
4 5 6 7	Read for the first time and re- ferred to the House of Representa- tives committee on County and Mu- nicipal Government
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9 10 11	Read for the second time and placed on the calendar with 1 substitute and 31-MAR-11
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13 14	Read for the third time and passed as amended 19-APR-11
15	Yeas 63, Nays 26, Abstains 5
16 17 18	Greg Pappas Clerk
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