

1 HB70
2 125938-2
3 By Representatives Ball and Sanderford
4 RFD: County and Municipal Government
5 First Read: 01-MAR-11

1 ENGROSSED

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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 a municipal public housing authority in certain Class 3
11 municipalities to purchase property only for public housing
12 purposes and after notice to certain property owners; and to
13 provide for the manner in which notice shall be given.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. Section 24-1-28, Code of Alabama 1975, is
16 amended to read as follows:

17 "§24-1-28.

18 "(a) The authority shall have the right to acquire
19 by eminent domain any property, real or personal, which it may
20 deem necessary to carry out the purposes of this article,
21 after the adoption by it of a resolution declaring that the
22 acquisition of the property described therein is in the public
23 interest and necessary for public use. The authority may
24 exercise the power of eminent domain pursuant to the
25 provisions of Title 18. Property already devoted to a public
26 use may be acquired; provided, that no property belonging to
27 any city within the boundaries of the authority, or to any

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

5 "(b) In Class 3 municipalities, except a Class 3
6 municipality organized under Act 618 of the 1973 Regular
7 Session, the authority may purchase real property only after
8 notice of intent to purchase the property is given to
9 surrounding property owners. Notice of the proposed purchase
10 in such Class 3 municipalities shall be sent via first class
11 mail to each residential and business address within ~~500~~ 300
12 yards of the property proposed to be purchased not less than
13 30 days prior to execution of any binding agreement to
14 purchase the property."

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

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on County and Mu-
nicipal Government..... 01-MAR-11

Read for the second time and placed
on the calendar..... 09-MAR-11

Read for the third time and passed
as amended..... 21-APR-11

Yeas 74, Nays 10, Abstains 4

Greg Pappas
Clerk