

1 SB384  
2 137795-2  
3 By Senators Pittman, Bedford, Holley, Sanford, Scofield,  
4 Holtzclaw, Taylor, Allen, Blackwell, Bussman, Fielding,  
5 Beason, Brewbaker, Ross, Beasley, Williams, Glover, Ward,  
6 Reed, McGill, Dial and Waggoner  
7 RFD: Governmental Affairs  
8 First Read: 01-MAR-12

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8 SYNOPSIS: This bill would require, before purchase,  
9 the state, a county, a municipality, and any other  
10 governmental entity to obtain an appraisal of the  
11 real property and would provide that the purchase  
12 price must not be more than the appraisal.

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14 A BILL  
15 TO BE ENTITLED  
16 AN ACT

17  
18 Relating to real property; to require, before  
19 purchase, the state, a county, a municipality, and any other  
20 governmental entity to obtain an appraisal of the real  
21 property; and to provide that the purchase price shall not be  
22 more than the appraisal.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. (a) Whenever the state, a county, a  
25 municipality, or any governmental entity is considering the  
26 purchase of real property, the property shall first be  
27 appraised by a licensed appraiser. The owner or his or her

1 designated representative shall be given an opportunity to  
2 accompany the appraiser during his or her inspection of the  
3 property.

4 (b) Following the appraisal of the property pursuant  
5 to subsection (a), the governmental entity considering the  
6 purchase shall make its decision regarding making an offer on  
7 the property as expeditiously as possible, and if an offer is  
8 made, the amount of the offer shall not be greater than the  
9 fair market value as determined by the licensed appraiser  
10 under subsection (a). The governmental entity shall not be  
11 required to make an offer on the property if it determines  
12 that offering the appraised value is not in the best interest  
13 of the governmental entity and the citizens it serves.

14 (c) Nothing in this act shall apply to any purchase  
15 or acquisition of property which may occur through eminent  
16 domain procedures as authorized pursuant to state law and the  
17 Constitution of Alabama of 1901.

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