



DEBRA BOWEN

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Eminent Domain Initiative Enters Circulation

Eminent Domain. Taking Property for Private Ownership. Statute.

SACRAMENTO – Secretary of State Debra Bowen today announced that the proponents of a new initiative may begin collecting petition signatures for their measure.

The Attorney General prepares the legal title and summary that is required to appear on initiative petitions. When the official language is complete, the Attorney General forwards it to the proponents and to the Secretary of State. The Secretary of State then provides calendar deadlines to the proponents and to county elections officials, and the initiative may be circulated for signatures. The Attorney General's official title and summary for the measure is as follows:

EMINENT DOMAIN. TAKING PROPERTY FOR PRIVATE OWNERSHIP. STATUTE. Changes procedures for condemning property if property will not be owned and permanently used by the acquiring public entity. Requires government to prove by clear and convincing evidence that property is needed for public use and condemnation will benefit a significant segment of public with no disproportionate benefit to private person or group. Eliminates presumption in favor of government and requires issues regarding use and compensation be decided by jury. Limits condemnation to needed part of property and allows property owners who successfully defend against condemnation to recover litigation expenses. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Probably no significant net fiscal impact on state and local governments. (Initiative 07-0099.)

The Secretary of State's tracking number for this measure is 1331 and the Attorney General's tracking number is 07-0099.

The proponents for this measure, Don H. Lippman and Christopher A. Sutton, must collect signatures of 433,971 registered voters – the number equal to 5% of the total votes cast for governor in the 2006 gubernatorial election – in order to qualify it for the ballot. The proponents have 150 days to circulate petitions for this measure, meaning the signatures must be collected by July 18, 2008.

The initiative proponents can be reached at (626) 683-2500.

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