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Kennedy Introduces Bill to End Eminent Domain Abuse

Legislation a common-sense solution amid flurry of far-reaching bills

ST. LOUIS—State Sen. Harry Kennedy, D-St. Louis, today introduced legislation to stop eminent domain abuse in Missouri. Kennedy's bill comes amid a flurry of legislation introduced following the Supreme Court's decision in *Kelo v. New London* last year.

"It's clear that eminent domain abuse must be addressed this session," Kennedy said. "I want to make sure the legislature uses common sense when dealing with this complicated issue."

Several bills have been introduced to eliminate the use of eminent domain for economic development purposes, which could restrict the ability of municipalities to engage in urban redevelopment projects. The flood of legislation is due in part to the Sunset Manor redevelopment project, which left property owners in limbo as the developer lost funding for the project and generated two lawsuits filed by property owners unwilling to negotiate.

"People are scared, and it's understandable when you look at horror stories like Sunset Hills," Kennedy said. "But there are situations where eminent domain does provide a public good, such as the urban redevelopment in the city."

The legislation primarily focuses on procedural changes that would give property owners a better chance to challenge the use of eminent domain, as well as negotiate a fair price for their property. Among the proposed changes, mandatory mediation would be used to ensure good-faith negotiations by developers.

"On one hand some developers don't want to see any changes, and on the other some property owners want to do away with it altogether," Kennedy said. "This bill is a common-sense solution that will protect property owners yet allow for the use of eminent domain in truly beneficial situations."

Kennedy's bill would also require local governments to develop a plan that specifically states the public use and public benefit the project will provide and would require better notification from developers to homeowners. Relocation assistance would also be given to property owners forced to move due to redevelopment.

The bill also includes a provision to ensure that citizens in all municipalities would have the ability to challenge the use of eminent domain for economic development through the petition and referendum process.

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