

Introduced by

Representatives M. Nelson, P. Anderson, Becker, Simons

1 A BILL for an Act to create and enact a new section to chapter 32-15 of the North Dakota
2 Century Code, relating to the sale of property acquired by eminent domain or acquired when the
3 property was eligible for taking by eminent domain, but no longer needed for a public purpose.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 32-15 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Sale of property not used for original purpose.**

8 When property is acquired by the state or a political subdivision through eminent domain
9 but not used for the purpose for which it was acquired, the person from whom it was acquired
10 must be given an opportunity to purchase the property. The purchase price must equal the just
11 compensation paid for the property minus any attorney's fees and court costs the purchaser
12 incurs in the new transaction or incurred challenging the original acquisition. If the opportunity to
13 purchase the property is declined, the property must be sold at auction, and the mineral rights, if
14 acquired through eminent domain for the same purpose, must revert to the person from whom
15 the rights were acquired.