

By Commissioner Corr

1 A proposal to revise
2 ARTICLE X, s. 6, Fla. Const.; providing
3 conditions under which private property is
4 assumed to be taken for a public purpose.

5
6 It is proposed by the Florida Constitution Revision Commission
7 that:

8
9 Section 1. Section 6 of Article X of the Florida
10 Constitution is revised by amending that section to read:

11 ARTICLE X

12 MISCELLANEOUS

13 SECTION 6. Eminent domain.--

14 (a) No private property shall be taken except for a
15 public purpose and with full compensation therefor paid to
16 each owner or secured by deposit in the registry of the court
17 and available to the owner. Private property is taken for
18 purposes of this section if a government action diminishes the
19 value or use of any discrete property interest by more than
20 twenty percent of such value or use, demonstrated by a
21 qualified appraisal.

22 (b) Provision may be made by law for the taking of
23 easements, by like proceedings, for the drainage of the land
24 of one person over or through the land of another.

25
26
27
28
29
30
31