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HOUSE BILL 45

**50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

INTRODUCED BY

Paul C. Bandy

AN ACT

RELATING TO CONDEMNATION; ENACTING A NEW SECTION OF THE EMINENT  
DOMAIN CODE TO PROVIDE FOR CONDEMNATION OF FEDERAL PROPERTY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Eminent Domain Code is  
enacted to read:

"~~[NEW MATERIAL]~~ CONDEMNATION OF FEDERAL PROPERTY.--

A. Property that may be taken pursuant to the  
Eminent Domain Code includes property possessed by the federal  
government unless the property was acquired by the federal  
government with the consent of the state legislature and in  
accordance with Article I, Section 8, Clause 17 of the United  
States constitution.

B. The state shall be the plaintiff described in  
the eminent domain complaint in an action to condemn property

underscoring material = new  
~~[bracketed material] = delete~~

underscoring material = new  
~~[bracketed material] = delete~~

1 described in Subsection A of this section."

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