

H.R. 926

Section-by-Section

Section 1: Short Title

Section 2: Conditions of Financial Assistance Under Federal Economic Development Programs

- (a) Prohibits the Federal government from providing financial assistance, as defined in Section 4, to relevant entities when a State or unit of local government engages in conduct defined under subsection (b). The relevant entity is either the entity engaging in the conduct described in subsection (b) or the State or unit of general local government that gave authority for the entity to engage in that conduct in any other case. The period of prohibition shall begin on the date that a Federal officer or employee determines the entity engaged in such conduct and continue until either 2 years have passed or the entity returns the property to the owner.
- (b) Defines two types of conduct that result in prohibition of assistance. The first conduct described is any use of eminent domain to take property and transfer ownership or leasehold from a private entity to another private entity. Provides an exception for transfers for the following purposes:
 - (1) Use by a public utility;
 - (2) A road or other right of way or means, open to the public or common carriers, for transportation;
 - (3) An aqueduct, pipeline or similar use;
 - (4) A prison or hospital, or;

(5) Any use during and in relation to a national emergency or national disaster declared by the President under other law.

The second type of conduct is failure to provide relocation assistance to any person displaced by the use of eminent domain for any economic development purpose. This assistance must be of the same manner and extent as that required of the Federal government under the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970.

Section 3: Private Right of Action

Provides any property owner whose property is taken by conduct resulting in prohibition of assistance under this Act the right to obtain injunctive and declaratory relief to enforce the prohibition.

Section 4: Definitions

Defines Federal Economic Development Program, Federal Financial Assistance, and State.

Section 5: Severability

Provides that if any portion of this Act is held invalid, the remainder of the Act is not affected by the ruling.