

107TH CONGRESS
2^D SESSION

H. R. 4771

To amend the Act popularly known as the Declaration of Taking Act to require that all condemnations of property by the Government proceed under that Act.

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2002

Mr. HUNTER introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To amend the Act popularly known as the Declaration of Taking Act to require that all condemnations of property by the Government proceed under that Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Prompt Compensation
5 Act of 2002”.

6 **SEC. 2. CONDEMNATIONS REQUIRED TO PROCEED UNDER**
7 **THE DECLARATION OF TAKING ACT.**

8 The first section of the Act entitled “An Act to expe-
9 dite the construction of public buildings and works outside

1 the District of Columbia by enabling possession and title
2 of sites to be taken in advance of final judgment in pro-
3 ceedings for the acquisition thereof under the power of
4 eminent domain”, approved February 26, 1931 (Chapter
5 307; 40 U.S.C. 258a), popularly known as the Declaration
6 of Taking Act, is amended—

7 (1) in the first sentence, by striking “the peti-
8 tioner may file in the cause, with the petition or at
9 any time before judgment,” and inserting “the peti-
10 tioner shall file in the cause, by not later than 90
11 days after the filing of the petition,”;

12 (2) in the second full paragraph, by striking
13 “Upon the filing of said declaration” and all that
14 follows through “shall vest in the United States of
15 America” and inserting “Upon filing the declaration
16 of taking, the petitioner shall deposit with the court
17 the amount of the estimated compensation stated in
18 the declaration. Upon such filing and deposit, title
19 to the lands in fee simple absolute, or such less es-
20 tate or interest therein as specified in the declara-
21 tion, shall vest in the United States”; and

22 (3) in the third full paragraph, by striking “the
23 court may order that the money deposited” and in-

1 serting “the court shall order that the money depos-
2 ited”.

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