SENATE DOCKET, NO. FILED ON: 1/11/2009

**SENATE . . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Mr. Brewer**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General  
 Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to eminent domain.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Mr. Brewer | Worcester, Hampden, Hampshire and Franklin |

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S00807 OF 2007-2008.]

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

An Act relative to eminent domain.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Chapter 79 of the General Laws shall be amended by inserting after Section 1, the following section:

Any officials authorized to exercise Eminent Domain may not condemn private real property used as a residence, business establishment, farm or forest operation if at the time of the condemnation the officials intend to transfer directly or indirectly to another person if the taking is for the purpose of private development or other private use of the property.