



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-1080/P1  
MED:kjf:rs

DOA:.....Bong, BB0392 - Relocation Assistance Benefits

**FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION**

**AN ACT ...; relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**EMINENT DOMAIN**

Under both the current state eminent domain law and the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (the Uniform Act), a person that exercises eminent domain authority that acquires property or that undertakes a program or project that displaces a person must, in addition to payments to compensate for the acquisition or displacement, make certain relocation assistance payments for items including moving expenses and losses of personal property, and certain replacement housing payments, which must be in the manner and amount determined under whichever law applies. Programs and projects that receive federal financial assistance may be subject to both state eminent domain law and the Uniform Act, which may differ in terms of the procedures that apply and the amount of compensation that must be paid for those payments.

This bill provides that, in the case of a program or project receiving federal financial assistance, a condemnor must, in addition to any such payment required to be paid under the state eminent domain law, make any additional payment required to comply with the Uniform Act.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

**SECTION 1.** 32.19 (3) (d) of the statutes is created to read:

32.19 (3) (d) *Federally financed projects.* Notwithstanding pars. (a) to (c), in the case of a program or project receiving federal financial assistance, a condemnor shall, in addition to any payment under pars. (a) to (c), make any additional payment required to comply with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, [42 USC 4601](#) to [4655](#), and any regulations adopted thereunder.

**SECTION 2.** 32.19 (4) (d) of the statutes is created to read:

32.19 (4) (d) *Federally financed projects.* Notwithstanding pars. (a) to (c), in the case of a program or project receiving federal financial assistance, a condemnor shall, in addition to any payment under pars. (a) to (c), make any additional payment required to comply with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, [42 USC 4601](#) to [4655](#), and any regulations adopted thereunder.

(END)