

House Amendment 3447

Amendment Text

PAG LIN

1 1 Amend the amendment, [H-3327](#), to [House File 166](#) as
1 2 follows:
1 3 #1. Page 1, line 14, by striking the word
1 4 "governmental" and inserting the following:
1 5 "government".
1 6 #2. Page 1, line 35, by striking the word
1 7 "Governmental" and inserting the following:
1 8 "Government".
1 9 #3. Page 1, line 47, by striking the word
1 10 "Governmental" and inserting the following:
1 11 "Government".
1 12 #4. Page 2, by inserting after line 17 the
1 13 following:
1 14 "(__)" The sale of private farm property subject to
1 15 a lien held by a governmental entity.
1 16 "(__)" An action involving private parties which is
1 17 conducted under state law, or enforced by an officer
1 18 of a governmental entity, including but not limited
1 19 to, a proceeding to enforce a debt against private
1 20 farm property under chapter 624, to forfeit a contract
1 21 to purchase private farm property under chapter 656,
1 22 or to otherwise levy on, execute on, seize, or attach
1 23 private farm property.
1 24 "(__)" An easement granted pursuant to section
1 25 308.4.
1 26 "(__)" The reduction or elimination of a benefit
1 27 directly or indirectly conferred upon an owner which
1 28 is not related to the use of the private farm property
1 29 and resulting from a government action, including but
1 30 not limited to, the removal of a facility or
1 31 infrastructure.
1 32 "(__)" An action which constitutes the exercise of
1 33 the state's police power to prevent a demonstrable
1 34 harm to the public health and safety, including any
1 35 use of private farm property that is structurally
1 36 unsafe; that constitutes a fire hazard; that consti-
1 37 tutes a hazard to the public health or safety because
1 38 of inadequate maintenance, dilapidation, or
1 39 abandonment; or that is otherwise dangerous to human
1 40 life."
1 41 #5. Page 2, line 35, by striking the word "shall"
1 42 and inserting the following: "may".
1 43 #6. Page 2, line 36, by inserting after the word
1 44 "in" the following: "the district court sitting in".
1 45 #7. Page 3, by striking lines 21 through 23 and
1 46 inserting the following: "judgment accordingly."
1 47 However, if the defendant rescinds the government
1 48 action, the damages shall be limited only to the
1 49 actual and demonstrable economic losses incurred by
1 50 the plaintiff as a result of the government action
2 1 during the period when the government action was in
2 2 effect. If the defendant does not elect to rescind".
2 3 #8. Page 3, line 31, by inserting before the word
2 4 "costs" the following: "court".
2 5 #9. Page 3, by striking lines 39 through 46.
2 6 #10. By renumbering as necessary.
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2 9 _____
2 10 [DINKLA](#) of Guthrie
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2 13 _____
2 14 [EDDIE](#) of Buena Vista
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2 17 _____
2 18 [KLEMME](#) of Plymouth
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2 21 _____
2 22 [LAMBERTI](#) of Polk
2 23 [HF_166](#).703 76
2 24 da/sc