ASSEMBLY, No. 415

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Assemblyman GREGORY P. MCGUCKIN
District 10 (Ocean)
Assemblyman JOHN CATALANO
District 10 (Ocean)

SYNOPSIS

Concerns valuation of property condemned for dune construction or beach replenishment.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

(Sponsorship Updated As Of: 2/3/2020)

AN ACT concerning compensation for certain condemned property, and supplementing P.L.1971, c.361 (C.20:3-1 et seq.).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Just compensation for an easement over a portion of beachfront property condemned for the purpose of dune construction or beach replenishment shall include consideration of the increase in value to the entire property due to the added safety and property protection provided by the dune or replenished beach. Any additional rights of the public to access property held in the public trust arising as a result of the easement, or the dune construction or beach replenishment, shall not be considered to cause a diminution in the value of the entire property.

2. This act shall take effect immediately and shall apply to all actions pending on the effective date of the act.

STATEMENT

This bill would supplement the "Eminent Domain Act of 1971," P.L.1971, c.361 (C.20:3-1 et seq.), to provide that just compensation for an easement over a portion of beachfront property condemned for the purpose of dune construction or beach replenishment must include consideration of the increase in value to the entire property due to the added safety and property protection provided by the dune or replenished beach. The bill would also provide that any additional rights of the public to access property held in the public trust arising as a result of the easement, or the dune construction or beach replenishment, would not be considered to cause a diminution in the value of the entire property.