

SB 53 & SB 1809 Summary
Presentation to Project Area Committees (PACs)
Prepared March 27, 2007

Health & Safety Code sections 33342.7 and 33373 of the Community Redevelopment Law (CRL):

Health & Safety Code section 33342.7 (SB 53) requires a legislative body that adopted a redevelopment plan on or before January 1, 2007 to adopt an ordinance on or before July 1, 2007, amending the redevelopment plan to include a description of the agency's program to acquire property by eminent domain. The ordinance amending the plan is required even if the agency's program provides no authority to exercise eminent domain.

What does the agency's program contain? The program simply contains the description to acquire property by eminent domain that is already in the plan. It also includes provisions and limitations regarding eminent domain actions. Nothing more is added, edited, or deleted.

Health & Safety Code section 33373 (SB 1809) requires the recording of a revised plan statement of institution with the County recorder, for plans adopted before Dec 31, 2006, that authorizes the acquisition of property by eminent domain. Pursuant to Health & Safety Code section 33373, the agency cannot file a condemnation complaint until the statement is recorded. The recording is a ministerial act (i.e., agency approval is not required). Therefore, the recording can be done as soon as the statement is drafted.

What does the revised plan statement of institution contain? The revised plan statement of institution repeats what was previously stated when the redevelopment plan was adopted. SB 1809 requires that the statement is recorded in prominent boldface lettering. The statement also includes:

- A map of the project area;
- A legal description of the project area; and
- A general description of the redevelopment plan's eminent domain provisions, including time limits.