**PLEASE JOIN INDUSTRY AND LABOR IN OPPOSING HB 5564 (MOELLER)**

**Summary**: Concerning eminent domain authority, the bill prohibits the granting of title or possession of property from occurring in a condemnation case if a party to the case requests a trial by jury. The bill ties possession by the condemning party to a decision on compensation. This applies to any project that could use eminent domain authority – utilities, railroads, pipelines, localities, state housing projects, and a whole host of other industries.

**Projects Already Receive Significant Review**: Condemnation action, which is the compensation to the owner for eminent domain seizures, occurs after the State has thoroughly reviewed and determined a project is necessitated for the public good and the project developer has gone through the permitting process, which includes extensive work with landowners. Using eminent domain authority is the absolute last resort the State will allow to proceed on a project it has determined is needed.

**Sole Goal Is To Stop Projects**: Trial by jury in condemnation actions are not new, but existing law grants the condemning authority the rights to proceed on their project and access the land while disputes over compensation are being determined by a jury. This legislation would take away the ability for the condemning authority to begin their project until AFTER the jury delivers its verdict. Again, the state has already granted rights to proceed by approving the permit. All this does is delay the project for the sake of delay. It does not grant the landowner any additional rights or any additional compensation. Rather, it creates inordinate delay and further communicates to businesses looking to Illinois for growth that we would rather not have their business at all.

**What a Delay Means**: Court calendars are busy and judicial resources limited. It could easily be a year or more before a trial is held to determine compensation. The company may not be able to start construction in a timely manner, resulting in project delays, increased costs and the risk of not meeting the energy and infrastructure needs of customers and the public.  In some circumstances, depending on the level and scope of delay involved, a project could be prohibited from moving forward.

We respectfully urge a **NO** vote

**Illinois Chamber of Commerce Illinois Petroleum Council**

**Illinois Manufacturing Association Energy Transfer Partners**

**Chemical Industry Council of Illinois Illinois Pipe Trades Association**