

## S 1412

Private Property Rights Act of 2001

**Congress:** 107 (2001–2003, Ended)

**Chamber:** Senate

**Policy Area:** Civil Rights and Liberties, Minority Issues

**Introduced:** Sep 10, 2001

**Current Status:** Read twice and referred to the Committee on Governmental Affairs.

**Latest Action:** Read twice and referred to the Committee on Governmental Affairs. (Sep 10, 2001)

**Official Text:** <https://www.congress.gov/bill/107th-congress/senate-bill/1412>

### Sponsor

**Name:** Sen. Hagel, Chuck [R-NE]

**Party:** Republican • **State:** NE • **Chamber:** Senate

### Cosponsors

*No cosponsors are listed for this bill.*

### Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Referred To	Sep 10, 2001

### Subjects & Policy Tags

**Policy Area:**

Civil Rights and Liberties, Minority Issues

### Related Bills

*No related bills are listed.*

## Summary (as of Sep 10, 2001)

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Private Property Rights Act of 2001 - States that the policy of the Federal Government is to protect the health, safety, and welfare of the public in a manner that, to the extent practicable, avoids takings of private property.

Directs each Federal agency to: (1) complete a private property taking impact analysis before taking any agency action (including the promulgation of a regulation) which is likely to result in a taking of private property, with specified exemptions, including for actions in which the power of eminent domain is formally exercised, law enforcement actions, military activities, and emergencies involving immediate threats to health or safety; and (2) fully consider alternatives described in this Act and, to the maximum extent practicable, to alter the agency action to avoid or minimize the taking of private property.

Allows the owner of private property, if an agency action results in the taking of such property, to obtain appropriate relief in a civil action against the agency.

Directs the Attorney General to provide legal guidance in a timely manner in response to a request by an agency to assist it in complying with this Act.

Creates a rebuttable presumption that unmodified analyses five years or older are outdated for purposes of any agency action or administrative or judicial proceeding.

## Actions Timeline

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- **Sep 10, 2001:** Introduced in Senate
- **Sep 10, 2001:** Sponsor introductory remarks on measure. (CR S9255)
- **Sep 10, 2001:** Read twice and referred to the Committee on Governmental Affairs.