

HRES 340

Expressing the grave disapproval of the House of Representatives regarding the majority opinion of the Supreme Court in the case of *Kelo et al. v. City of New London et al.* that nullifies the protections afforded private property owners in the Takings Clause of the Fifth Amendment.

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Law

Introduced: Jun 24, 2005

Current Status: Motion to reconsider laid on the table Agreed to without objection.

Latest Action: Motion to reconsider laid on the table Agreed to without objection. (Jun 30, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/house-resolution/340>

Sponsor

Name: Rep. Gingrey, Phil [R-GA-11]

Party: Republican • **State:** GA • **Chamber:** House

Cosponsors (78 total)

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| Cosponsor | Party / State | Role | Date Joined |
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| Rep. Pitts, Joseph R. [R-PA-16] | R · PA | | Jun 29, 2005 |
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| Rep. Shimkus, John [R-IL-19] | R · IL | | Jun 29, 2005 |
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| Rep. Alexander, Rodney [R-LA-5] | R · LA | | Jun 30, 2005 |
| Rep. Bachus, Spencer [R-AL-6] | R · AL | | Jun 30, 2005 |
| Rep. Biggert, Judy [R-IL-13] | R · IL | | Jun 30, 2005 |
| Rep. Dent, Charles W. [R-PA-15] | R · PA | | Jun 30, 2005 |
| Rep. Franks, Trent [R-AZ-2] | R · AZ | | Jun 30, 2005 |
| Rep. LaHood, Ray [R-IL-18] | R · IL | | Jun 30, 2005 |
| Rep. Marchant, Kenny [R-TX-24] | R · TX | | Jun 30, 2005 |
| Rep. Rehberg, Dennis R. [R-MT-At Large] | R · MT | | Jun 30, 2005 |
| Rep. Rogers, Mike D. [R-AL-3] | R · AL | | Jun 30, 2005 |
| Rep. Taylor, Charles H. [R-NC-11] | R · NC | | Jun 30, 2005 |
| Rep. Young, C. W. Bill [R-FL-10] | R · FL | | Jun 30, 2005 |

Committee Activity

| Committee | Chamber | Activity | Date |
|---------------------|---------|-------------|--------------|
| Judiciary Committee | House | Referred To | Jun 24, 2005 |

Subjects & Policy Tags

Policy Area:

Law

Related Bills

No related bills are listed.

Summary (as of Jun 30, 2005)

(This measure has not been amended since it was introduced. The summary of that version is repeated here.)

Expresses disagreement with the majority opinion in *Kelo et al. v. City of New London et al. (Kelo)* and its holdings that effectively negate the public use requirement of the takings clause of the Fifth Amendment to the U.S. Constitution.

Expresses the sense of the House of Representatives that state and local governments: (1) should only execute the power of eminent domain for the public good; (2) must always justly compensate affected individuals in accordance with the Fifth Amendment; (3) should never use eminent domain to advantage one private party over another; and (4) should not construe *Kelo* as justification to abuse the power of eminent domain.

Reserves to Congress the right to address through legislation any abuses of eminent domain by state and local government in light of *Kelo*.

Actions Timeline

- **Jun 30, 2005:** Mr. Sensenbrenner moved to suspend the rules and agree to the resolution.
- **Jun 30, 2005:** Considered under suspension of the rules. (consideration: CR H5577-5585)
- **Jun 30, 2005:** DEBATE - The House proceeded with forty minutes of debate on H. Res. 340.
- **Jun 30, 2005:** FURTHER DEBATE - By unanimous consent, the House proceeded with an additional 12 minutes of debate to be equally divided and controlled.
- **Jun 30, 2005:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Jun 30, 2005:** Considered as unfinished business. (consideration: CR H5592-5593)
- **Jun 30, 2005:** Passed/agreed to in House: On motion to suspend the rules and agree to the resolution Agreed to by the Yeas and Nays: (2/3 required): 365 - 33, 18 Present (Roll no. 361).(text as passed House: CR H5577)
- **Jun 30, 2005:** On motion to suspend the rules and agree to the resolution Agreed to by the Yeas and Nays: (2/3 required): 365 - 33, 18 Present (Roll no. 361). (text as passed House: CR H5577)
- **Jun 30, 2005:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 29, 2005:** Sponsor introductory remarks on measure. (CR H5370)
- **Jun 24, 2005:** Introduced in House
- **Jun 24, 2005:** Referred to the House Committee on the Judiciary.

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