

HR 7178

Defense of Property Rights Act

Congress: 115 (2017–2019, Ended)

Chamber: House

Policy Area: Law

Introduced: Nov 27, 2018

Current Status: Referred to the House Committee on the Judiciary.

Latest Action: Referred to the House Committee on the Judiciary. (Nov 27, 2018)

Official Text: <https://www.congress.gov/bill/115th-congress/house-bill/7178>

Sponsor

Name: Rep. Reed, Tom [R-NY-23]

Party: Republican • State: NY • Chamber: House

Cosponsors (3 total)

| Cosponsor | Party / State | Role | Date Joined |
|------------------------------|---------------|------|--------------|
| Rep. Brat, Dave [R-VA-7] | R · VA | | Nov 27, 2018 |
| Rep. Gosar, Paul A. [R-AZ-4] | R · AZ | | Nov 27, 2018 |
| Rep. King, Steve [R-IA-4] | R · IA | | Nov 27, 2018 |

Committee Activity

| Committee | Chamber | Activity | Date |
|---------------------|---------|-------------|--------------|
| Judiciary Committee | House | Referred To | Nov 27, 2018 |

Subjects & Policy Tags

Policy Area:

Law

Related Bills

No related bills are listed.

Defense of Property Rights Act

This bill prohibits federal or state agencies from taking private property in whole or in part (including by physical invasion, regulation, exaction, or condition) except for public purpose and with just compensation to the property owner.

A property owner shall receive just compensation if the property has been physically invaded or taken without the owner's consent in an action that:

- does not substantially advance the stated governmental interest;
- exacts the owner's lawful right to use the property, or a portion of the property, as a condition for an agency's action (including the granting of a permit, license, or variance) without a rough proportionality between the stated need for the property and the impact of the proposed use;
- deprives the owner, either temporarily or permanently, of substantially all economically beneficial or productive use of the property;
- diminishes the property's fair market value by at least 20% or \$20,000; or
- constitutes any other taking within the meaning of the Fifth Amendment to the Constitution.

The bill allows the U.S. Court of Federal Claims to: (1) render judgment upon a claim against an agency for monetary relief, (2) invalidate federal laws or regulations that violate Fifth Amendment property rights, (3) grant injunctive and declaratory relief, and (4) have concurrent jurisdiction with other courts.

The bill also establishes a six-year statute of limitations for actions to be brought after a taking and allows takings disputes to be resolved through settlement or arbitration.

Actions Timeline

- **Nov 27, 2018:** Introduced in House
- **Nov 27, 2018:** Referred to the House Committee on the Judiciary.