



**House  
Legislative  
Analysis  
Section**

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**PROPERTY RIGHTS  
SENSITIVITY TRAINING**

**House Bill 5483**

**Sponsor: Rep. Greg Kaza**

**Committee: Conservation,  
Environment, and Great Lakes**

**Complete to 1-26-96**

**A SUMMARY OF HOUSE BILL 5483 INTRODUCED 12-13-95**

House Bill 5483 would add a new section (MCL 324.503a) to the Natural Resources and Environmental Protection Act to require that the Department of Natural Resources and the Department of Environmental Quality provide sensitivity training for all employees regarding the constitutional limitations of the regulation of private property, including an overview of the law related to "constitutional takings." That term would be defined under the bill to mean the taking of private property by government action, such that compensation to the property owner was required under Amendments V or XIV of the U.S. Constitution, or Section 23 of Article I and Section 2 of Article X of the state constitution.

(The Fifth Amendment to the U.S. Constitution states, in part, ". . . nor shall private property be taken for public use, without just compensation."

The Fourteenth Amendment to the U.S. Constitution states, in part, ". . . nor shall any state deprive any person of life, liberty, or property, without due process of law".

Article I, Section 23 of the State Constitution of 1963 states: "The enumeration in this constitution of certain rights shall not be construed to deny or disparage others retained by the people."

Article X, Section 2 of the State Constitution of 1963 states: "Private property shall not be taken for public use without just compensation therefor being first made or secured in a manner prescribed by law. Compensation shall be determined in proceedings in a court of record.")

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.