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H.R.4772

Title: To simplify and expedite access to the Federal courts for injured parties whose rights and privileges under the United States Constitution have been deprived by final actions of Federal agencies or other government officials or entities acting under color of State law, and for other purposes.

Sponsor: [Rep Chabot, Steve](#) [OH-1] (introduced 2/16/2006) [Cosponsors](#) (36)

Related Bills: [H.RES.1047](#), [H.RES.1054](#)

Latest Major Action: 9/30/2006 Received in the Senate.

House Reports: [109-658](#)

SUMMARY AS OF:

2/16/2006--Introduced.

Private Property Rights Implementation Act of 2005 - Amends the federal judicial code to provide that, whenever a district court exercises jurisdiction in civil rights cases in which the operative facts concern the uses of real property, it shall not abstain from exercising such jurisdiction, or relinquish it to a state court, if the party seeking redress does not allege a violation of a state law, right, or privilege, and no parallel proceeding is pending in state court that arises out of the same operative facts as the district court proceeding.

Declares that in an action in which operative facts concern the uses of real property, the district court shall exercise jurisdiction even if the party seeking redress does not pursue judicial remedies provided by a state or territory. Provides for referral of an unsettled question of state law to the state's highest appellate court. Prohibits the district court from certifying a question of state law unless it is necessary to resolve the merits of the injured party's federal claim, and such question is patently unclear.

Declares that any claim or action to redress the deprivation of a property right or privilege secured by the Constitution shall be ripe for adjudication by the district courts upon a final decision rendered by any person acting under color of any law, regulation, custom, or usage of any state or U.S. territory that causes actual and concrete injury to the party seeking redress.

Declares that any claim founded upon a property right or privilege secured by the Constitution, but allegedly infringed or taken by the United States, shall be ripe for adjudication upon a final decision rendered by the United States which causes actual and concrete injury to the party seeking redress.

Amends the Revised Statutes of the United States with respect to certain Constitutional property rights claims.

Requires a federal agency, whenever it takes action limiting the use of private property that may be affected by the amendments made by this Act, to give notice to the owners of that property explaining their rights and the procedures for obtaining any compensation that may be due to them under such amendments.

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