

**416.660 Standards for determining compensation -- Changes in value -- Taking date.**

- (1) In all actions for the condemnation of lands under the provisions of KRS 416.540 to 416.670, except temporary easements, there shall be awarded to the landowners as compensation a sum that will fairly represent the difference between the fair market value of the entire tract, including improvements existing at the time of the filing of the action, all or a portion of which is sought to be condemned, immediately before the taking and the fair market value of the remainder immediately after the taking, including in the remainder all rights which the landowner may retain in the lands sought to be condemned where less than the fee simple interest is taken, together with the fair rental value of any temporary easements sought to be condemned.
- (2) Any change in the fair market value prior to the date of condemnation which the condemnor or condemnee establishes was substantially due to the general knowledge of the imminence of condemnation or the construction of the project shall be disregarded in determining fair market value. The taking date for valuation purposes shall be either the date the condemnor takes the land, or the date of the trial of the issue of just compensation, whichever occurs first.
- (3) The value of agricultural infrastructure improvements, including but not limited to drainage tile, water systems, livestock fencing, and permanent on-farm structures, shall be considered in determining the fair market value of property actively used for farm or agricultural purposes.

**Effective:** April 13, 2026

**History:** Amended 2026 Ky. Acts ch. 112, sec. 6, effective April 13, 2026. -- Created 1976 Ky. Acts ch. 140, sec. 14.