

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 20, 2009

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HJR14 by Corte (Proposing a constitutional amendment to limit the public taking of private property.), **As Engrossed**

No significant fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$90,882.

The resolution would propose an amendment to the Texas Constitution to specify that the taking of private property is authorized only if it is necessary for, the elimination of urban blight on a particular parcel of property or the possession, occupation, and enjoyment of the property by a common carrier by an entity providing utility service; telecommunications service, video service, or cable service to which the law grants eminent domain authority; the public at large; the state, or a political subdivision of the state.

For the taking of a homestead or farm, adequate compensation would include the cost of relocation to a location where the property owner would have a comparable standard of living without the property owner incurring debt.

Based on the analysis of the Texas Department of Transportation, it is assumed that the constitutional amendment would not result in a significant fiscal impact to the state.

The proposed constitutional amendment would take effect if approved by voters at an election to be held on November 3, 2009.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation

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