

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 31, 2003

TO: Honorable David Dewhurst , Lieutenant Governor, Senate
Honorable Tom Craddick, Speaker of the House, House of Representatives

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB1708 by Wentworth (Relating to the repurchase of real property acquired by a governmental entity through eminent domain.), **Conference Committee Report**

No significant fiscal implication to the State is anticipated.

The bill would amend the Property Code to require a governmental entity that obtains real property through eminent domain for a public use that is no longer used for that purpose to notify the last owner of the property, the owners' heirs, successors, or assigns prior to the resale of the property. The bill would require that the governmental entity to sell the property to the former owner or heirs, successors, or assigns for fair market value or the purchase price paid to the former owner if the original owner or heirs were found within the period of time specified in the bill. The bill would establish notification and disclosure requirements. The bill would only apply to real property acquired on or after the effective date of the bill and would clarify that the provisions of the bill would not apply to right-of-way under the jurisdiction of a county, municipality, or the Texas Department of Transportation.

It is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

The bill would take effect January 1, 2004.

Local Government Impact

No significant fiscal implication to units of local government is anticipated. It is assumed that local government entities would absorb costs associated with making an effort to notify the last owner of the property, the owners' heirs, successors, or assigns prior to the resale of the property within the time period specified in the bill.

Source Agencies: 303 Building and Procurement Commission, 305 General Land Office and Veterans' Land Board, 455 Railroad Commission, 551 Department of Agriculture, 582 Commission on Environmental Quality, 601 Department of Transportation, 701 Central Education Agency

LBB Staff: JK, CL, MW