

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATURE 1st CALLED SESSION - 2005

July 7, 2005

TO: Honorable Anna Mowery, Chair, House Committee on Land & Resource Management

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

IN RE: HJR19 by Corte (Proposing a constitutional amendment to prohibit the state or a political subdivision from taking private property for the primary purpose of economic development or to benefit a particular class of identifiable individuals.), **Committee Report 1st House, Substituted**

The fiscal implication to the state, other than the cost of publication, cannot be determined.

The cost to the state for publication of the resolution is \$66,497.

The resolution would prohibit the state or a political subdivision of the state from taking private property through the exercise of eminent domain if a primary purpose of the taking is for economic development or to benefit a particular class of identifiable individuals.

Based on the analysis of the Texas Department of Transportation (TxDOT), it is assumed that the constitutional amendment could affect the state's use of eminent domain for transportation-related purposes.

The proposed constitutional amendment would be submitted to the voters in an election to be held November 8, 2005.

Local Government Impact

The fiscal impact to units of local government cannot be determined. Based on analysis by the Texas Department of Transportation, it is assumed the constitutional amendment could affect local entities' use of eminent domain for transportation-related purposes. It is assumed other uses of eminent domain by local entities also could be affected.

Source Agencies: 601 Department of Transportation

LBB Staff: JOB, WK, CL, DLBa, MW