

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 18, 2005

TO: Honorable Robert Puente, Chair, House Committee on Natural Resources

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

IN RE: SB1116 by Wentworth (Relating to the authority of a water and sewer utility to acquire property by eminent domain.), **Committee Report 2nd House, As Amended**

No fiscal implication to the State is anticipated.

The bill would authorize a water and sewer utility to acquire by condemnation only those sanitary easements or lesser property interests reasonably necessary to comply with federal and state regulations, except the utility may not exercise eminent domain for the purpose of acquiring rights to underground water or of water or water rights. In a municipality with a population of 1.7 million or more (Houston) and its extraterritorial jurisdiction, the power of eminent domain may not be used for the condemnation of land in which the municipality owns a fee, esement, or lesser property interest.

Local Government Impact

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

Source Agencies:

LBB Staff: JOB, WK, DLBa