

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 16, 2007

TO: Honorable Byron Cook, Chair, House Committee on Civil Practices

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

IN RE: HB1062 by King, Phil (Relating to assessment of damages and award of costs and attorney's fees in condemnation proceedings.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Property Code by expanding what evidence a special commission shall admit when assessing damages to a property owner from a condemnation and by adding Section 21.0415 relating to determining the minimum amount of damages to be awarded.

The provisions of the bill would apply only to a condemnation proceeding in which the condemnation petition is filed on or after the effective date, which would be September 1, 2007.

Local Government Impact

Changes related to evidence presented to the special commission would have no direct fiscal impact on units of local government. Establishment of formulas for determining minimum damages could result in higher award amounts than otherwise might be considered by a special commission, resulting in a greater revenue loss to the condemnor.

Source Agencies:

LBB Staff: JOB, MN, JB, DB