

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 26, 2007

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

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

IN RE: HB3057 by Callegari (Relating to the acquisition of real property for public use.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would redefine for the purposes of acquiring real property for public use the terms "public use" and "blighted area." The bill would stipulate that "public use" does not include the public benefit of economic development.

The bill would repeal sections of the Local Government Code in which "slum area" and "slum clearance" are defined, as well as Chapter 251, Municipal Right of Eminent Domain.

The bill would take effect immediately if it were to receive the required two-thirds vote in each house; otherwise, it would take effect September 1, 2007.

According to analysis by the Texas Department of Transportation, because there are exceptions for transportation projects, including public roads and highways, the bill would have no fiscal impact on the agency.

Local Government Impact

The fiscal impact to units of local government would vary depending on the number of properties that may be affected by the adjustments in definitions and that a local government entity would consider acquiring. However, according to several counties and municipalities contacted regarding the bill, the impact is not expected to be significant.

Source Agencies: 601 Department of Transportation

LBB Staff: JOB, WK, MW, DB