

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**March 24, 2009**

**TO:** Honorable Dennis Bonnen, Chair, House Committee on Land & Resource Management

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

**IN RE: HJR65** by Davis, Yvonne (Proposing a constitutional amendment to require compensation for certain property taken where the use is public and necessary.), **As Introduced**

The amount of additional costs and overall negative fiscal impact to a condemner under the provisions of the bill would vary by condemner and by case, and therefore the fiscal impact to the state cannot be estimated.

The cost to the state for publication of the resolution is \$90,882.

The bill would amend Section 17, Article I of the Texas Constitution to further define adequate compensation for a homestead or farm when such property is taken for public use.

**Local Government Impact**

As with the state impact, the negative fiscal impact to units of local government would vary depending on the number of situations in which the entity would seek to exercise its eminent domain authority, costs associated with and imposed by court proceedings, and the number of parcels of land involved in initial condemnation.

**Source Agencies:**

**LBB Staff:** JOB, WK, SD, PJK