

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

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

**April 28, 2009**

**TO:** Honorable Robert Duncan, Chair, Senate Committee on State Affairs

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

**IN RE: SJR42** by Duncan (Proposing a constitutional amendment to prohibit the taking of property for certain purposes.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated,** other than the cost of publication.

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

The resolution would propose a constitutional amendment to Article I of the Texas Constitution to specify that the term "public use" does not include the taking of property by the state or a political subdivision of the state for transfer to a private entity for the purpose of economic development or enhancement of tax revenues.

The proposed constitutional amendment would be submitted to the voters at an election to be held November 3, 2009.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 302 Office of the Attorney General

**LBB Staff:** JOB, KJG, JM