

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 4, 2011

TO: Honorable Rene Oliveira, Chair, House Committee on Land & Resource Management

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

IN RE: HB188 by Sheffield (Relating to limitations on the use of eminent domain authority.), **As Introduced**

No fiscal implication to the State is anticipated.

HB 188 would result in no direct fiscal impact to state governmental entities.

Agencies report that the bill's language could result in potential delays experienced by entities seeking to obtain land through eminent domain processes due to the uncertainty created by the new requirement for a determination that the land is necessary for public use. Because there is no detail provided on how property would be deemed necessary for public use, or what entity would make such a determination, the language creates uncertainty over when a property may be acquired by eminent domain.

Local Government Impact

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

Source Agencies: 601 Department of Transportation, 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration

LBB Staff: JOB, SZ, JI, KY, PJK, TP