

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 17, 2013

TO: Honorable Joe Deshotel, Chair, House Committee on Land & Resource Management

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3087 by Workman (Relating to the condemnation of conservation easements.), As
Introduced

No significant fiscal implication to the State is anticipated.

The bill would add a new section to the Property Code to provide that if a law, rule, policy, ordinance, or regulation essentially requires that more than 50 percent of a surface area of an owner's private real property to remain in a natural or undeveloped state, then the area would be considered a conservation easement. An owner would be required to either agree to the easement, or the power of eminent domain would be used to establish the conservation easement. The provisions would not apply to: lawful seizure of contraband; seizure of property as evidence of a crime; or a governmental entity implementing, enforcing, permitting, or regulating a plan or ordinance under the authority of various federal and state statutes.

The Texas Commission on Environmental Quality and the Parks and Wildlife Department both reported that passage of the bill would not result in a significant fiscal impact to the respective agencies.

Local Government Impact

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

Source Agencies: 582 Commission on Environmental Quality, 802 Parks and Wildlife
Department

LBB Staff: UP, SZ, TL