

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

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 9, 2013**

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

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** SB655 by Birdwell (Relating to the exercise of the power of eminent domain by certain authorized entities.), **As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would amend Chapter 1 of the Special District Local Laws Code, regarding general provisions, to add new Section 1.004 to require that an entity governed by Title 6 (water and wastewater) of this code and authorized by law to exercise eminent domain powers do so only for a public use in accordance with Section 17 (taking, damaging, or destroying property for public use) of Article I of the Texas Constitution.

The bill would amend Chapter 1 of the Water Code, regarding general provisions, to add new Section 1.005 to require that an entity governed by the Water Code and authorized by law to exercise eminent domain powers do so only for a public use in accordance with Section 17 (taking, damaging, or destroying property for public use) of Article I of the Texas Constitution.

The bill would take effect immediately upon enactment, assuming that it received the requisite two-thirds majority votes in both houses of the Legislature. Otherwise, it would take effect September 1, 2013.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts

**LBB Staff:** UP, AG, SD, SJS, TP