

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

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

**May 6, 2013**

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

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

**IN RE: SB1919** by Campbell (Relating to the condemnation of conservation easements.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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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 55 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, as well as other specific situations as provided in the bill.

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, AG, TL, SZ