

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 1, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB474 by Kolkhorst (Relating to the recovery of costs and fees in connection with certain eminent domain proceedings.), **As Engrossed**

The fiscal impact to the state would depend on the number of proceedings to which the bill would apply. There could be an indeterminate loss depending on the number of proceedings requiring the State to reimburse property owners for attorney's and professional fees.

The bill would amend Section 21.047 of the Property Code regarding the recovery of costs and fees in connection with certain eminent domain proceedings.

The bill would require condemnors to reimburse property owners for attorney's and professional fees in eminent domain proceedings where it is determined that the condemnor's lowest offer for the property is 20 percent or more lower than the amount determined by a special commissioner or other court.

Local Government Impact

There could be a negative fiscal impact associated with changes in procedures that would vary depending on the number of proceedings to which the bill would apply in which a local government entity would have to reimburse property owners for attorney's and professional fees.

Source Agencies:

LBB Staff: UP, SZ, AG, SD