

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 6, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1812 by Kolkhorst (Relating to transparency in the reporting and public availability of information regarding eminent domain authority; providing a civil penalty.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 2206 of the Government Code, pertaining to eminent domain, to direct the Comptroller to create an internet database with information regarding public and private entities authorized by the state by a general or special law to exercise the power of eminent domain. The bill would specify certain information which must be included in the database for each affected entity relating to that entity's eminent domain authority. The database would be updated annually and, to the extent possible, present information in a manner that is searchable and intuitive to users. The Comptroller would be prohibited from charging a fee to access the database. The Comptroller would be required to create and post the database not later than September 1, 2016. Each entity would be required to provide information to the Comptroller to operate and update the database. The bill would create a civil penalty not to exceed \$1,000 for an entity which attempts to exercise its eminent domain authority without having previously provided information to the Comptroller for the database. The bill would provide for expiration of an entity's eminent domain authority if the violating entity does not provide the required information to the Comptroller within 30 days of notice from the Comptroller.

The bill would take effect immediately upon receipt of a two-thirds vote of all members elected to each house; otherwise the bill would take effect September 1, 2015.

The Comptroller of Public Accounts, Texas Department of Transportation and the Attorney General indicate that costs associated with implementation of the bill could be absorbed within existing resources.

Local Government Impact

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

Source Agencies: 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 601 Department of Transportation

LBB Staff: UP, LCO, CL, SZ, EP, KVe