

Department of Planning and Budget
2003 Fiscal Impact Statement

1. Bill Number HB1949

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron Drake

3. Committee H. Courts of Justice

4. Title Commonwealth Transportation Commissioner condemnations

5. Summary/Purpose:

Prohibits the Commonwealth Transportation Commissioner, in a condemnation proceeding, from offering evidence of the value of the property taken or damaged that is less than the amount that was either previously deposited with the court or represented by a certificate of deposit filed with the court with respect to that property.

6. Fiscal Impact Estimates are: preliminary, see Item 8.

7. Budget amendment necessary: No.

8. Fiscal implications:

This fiscal impact of HB1949 cannot be determined at this time. It would depend on each case and the final determination of a award. However, since the Commissioner is not allowed to offer evidence that the property's value is less than the amount that was either previously deposited with the court or by a certificate of deposit, then there could be additional costs to the Department of Transportation. Funding would, most likely, come from highway construction funds.

9. Specific agency or political subdivisions affected: The courts and the Department of Transportation.

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 01/31/03/jlm

Document: (DPB G:\Leg03 \HB1949.DOC)

cc: Secretary of Transportation