

Department of Planning and Budget 2011 Fiscal Impact Statement

1. Bill Number: SB1436

House of Origin	<input type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input checked="" type="checkbox"/>	Enrolled

2. Patron: Smith

3. Committee: Passed both houses

4. Title: Eminent domain; procedures.

5. Summary: The proposed legislation would provide that if a condemnor is required to provide an appraisal to the owner of property sought to be condemned, the condemnor must provide copies of all appraisals that the condemnor obtained prior to making an offer to acquire or initiating negotiations for the property.

The bill also makes changes to the procedure for offering to sell condemned property back to the former owner to clarify when such an offer is required to be made and how such an offer is to be communicated to the former owner. The bill also provides that certain definitions in certain chapters of Title 25.1 (Eminent Domain) apply to the entire title.

The bill also contains an enactment clause that provides that the provisions of the bill do not apply to the acquisition of real property by a railroad, public service corporation, municipal corporation, local governmental unit, or political subdivision of the Commonwealth, as well as certain state agencies that meet specified criteria.

6. Budget Amendment Necessary: None.

7. Fiscal Impact Estimates: Unavailable. See Item 8.

8. Fiscal Implications: The additional procedures will require additional personnel time by Department of Transportation staff to complete acquisitions related to capital outlay projects. Any additional costs due to the proposed legislation can be absorbed within existing resources.

9. Specific Agency or Political Subdivisions Affected: Department of Transportation

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 3/8/2011 dpb/smc

Document: G:\GA\FIS 2011\SB1436ER.doc