

## Department of Planning and Budget 2012 Fiscal Impact Statement

**1. Bill Number:** SB240

**House of Origin**    ☐ Introduced    ☐ Substitute    ☐ Engrossed  
**Second House**    ☐ In Committee    ☐ Substitute    ☒ Enrolled

**2. Patron:**    Obenshain

**3. Committee:** Passed both Houses

**4. Title:**    Constitutional amendment (voter referendum); taking or damaging of private property; public use.

**5. Summary:** Provides for a referendum at the November 6, 2012, election to approve or reject an amendment that revises the prohibition on the enactment by the General Assembly of laws whereby private property may be taken or damaged without just compensation.

**6. Budget Amendment Necessary:** See Item 8

**7. Final Fiscal Impact Estimates:** See Item 8

The first chart reflects the estimated one-time cost if there is a single amendment:

**7a. Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2012	0		General
2013	\$230,000		General

The second chart reflects the estimated one-time cost if a second amendment is added:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2012	0		General
2013	\$310,000		General

**8. Fiscal Implications:** Under the terms of § 30-19.9, the State Board of Elections (SBE) indicates that the agency is required to run advertisements in state newspapers and prepare posters and pamphlets providing public notice about the amendments. It is estimated by SBE that the costs relating to one amendment will run approximately \$230,000. This amount consists of approximately \$175,000 in newspaper advertising costs, (using the same 11 newspapers in which the 2010 amendments ran), with \$55,000 allocated for printing costs of pamphlets and posters. The agency estimates that approximately \$80,000 in total costs would be incurred for each additional amendment, but this estimate could vary depending on if the ultimate number of amendments require a substantial increase in advertising space. Neither the House nor the Senate provided any funding for this amendment. SBE indicates that they cannot absorb this cost.

**9. Specific Agency or Political Subdivisions Affected:** SBE

**10. Technical Amendment Necessary:** None.

**11. Other Comments:** The bill is identical to HB 5.

**Date:** 3/12/2012