

Department of Planning and Budget 2007 Fiscal Impact Statement

1. Bill Number HB2397

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

2. Patron Athey

3. Committee Courts of Justice

4. Title Burden of establishing public use; condemnor

5. Summary/Purpose: This bill places a burden on the condemnor to prove by a preponderance of the evidence that the public use being relied upon in the taking is a public use that benefits the community in proximity to the property that is the subject of the condemnation action.

6. No Fiscal Impact

7. Budget amendment necessary: No

8. Fiscal implications: This bill has no state fiscal impact. However, it is unclear if there may be additional costs to localities in providing evidence that condemning land is a public benefit.

9. Specific agency or political subdivisions affected: None

10. Technical amendment necessary: No

11. Other comments: None

Date: 01/11/07 / AFG

Document: H:\BOS-RO\Legislation\07 Session\FIS07-Amy\HB2397.Doc AFG

cc: Secretary of Administration