

Department of Planning and Budget

2007 Fiscal Impact Statement

1. Bill Number SB781

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

2. Patron Cuccinelli

3. Committee Courts of Justice

4. Title Private property; definition of public uses, report

5. Summary/Purpose: This bill provides a definition of the term "public uses" mentioned in Article I, Section 11 of the Constitution of Virginia as embracing only the ownership, possession, occupation, and enjoyment of land by the public or public agencies; the creation or functioning of public corporations and public service companies; the construction, maintenance or operation of public highways or other public transportation facilities; the construction, maintenance or operation of facilities by the Commonwealth, a political subdivision, locality, or pursuant to a public-private partnership agreement; and the elimination of blight where the property endangers public health or safety. The bill also specifies certain exceptions to this definition and provides that the power of eminent domain shall not be exercised when the primary purpose of the taking or damaging of private property is to transfer ownership to a private party for a private financial gain, an increase in tax revenues, or an increase in employment. This definition does not apply to the acquisition of property subject to a certificate of take or a certificate of deposit recorded prior to July 1, 2007, or property that is the subject of a petition for condemnation filed prior to July 1, 2007. The bill also provides that if the acquisition of part of a person's property leaves the owner with an uneconomic remnant, this remnant shall not be acquired if the person desires to maintain ownership of the remnant. This bill incorporates SB 1037 and SB 1096.

6. No Fiscal Impact Estimates

7. Budget amendment necessary: No

8. Fiscal implications: None

9. Specific agency or political subdivisions affected: State Board of Elections, local electoral boards and registrars

10. Technical amendment necessary: No

11. Other comments: None

Date: 02/06/07 / AFG

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cc: Secretary of Administration