

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7346

BILL NUMBER: SB 299

NOTE PREPARED: Jan 5, 2009

BILL AMENDED:

SUBJECT: Utility Condemnation of Property.

FIRST AUTHOR: Sen. Merritt

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: The bill specifies the procedures by which a municipality may exercise the power of eminent domain to acquire the property of a public utility.

Effective Date: July 1, 2009.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: *Summary-* Currently, municipalities have the option to proceed through an ordinance/public question route *or* go straight to eminent domain proceedings. The bill eliminates the option to go directly to the eminent domain proceedings. Therefore, this provision could reduce or slow eminent domain actions between municipalities and public utilities. The effect on local expenditures would depend on local action.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Municipalities, circuit and superior courts.

Information Sources:

Fiscal Analyst: Chris Baker, 317-232-9851.