

GENERAL ASSEMBLY OF NORTH CAROLINA



Session 2009

Legislative Fiscal Note

BILL NUMBER: House Bill 1268 (Third Edition)

SHORT TITLE: Eminent Domain.

SPONSOR(S): Representatives Stam, Lewis, and Blue

FISCAL IMPACT

Yes (X) No () No Estimate Available ()

FY 2009-10 FY 2010-11 FY 2011-12 FY 2012-13 FY 2013-14

REVENUES

EXPENDITURES

(General Fund) \$400

POSITIONS (cumulative):

PRINCIPAL DEPARTMENT(S) &

PROGRAM(S) AFFECTED: State Board of Elections and Department of Secretary of State

EFFECTIVE DATE: When the bill becomes law.

BILL SUMMARY:

Subject to approval by voters at the statewide election on May 4, 2010, House Bill 1268 adds a new Section 19.1 to Article 1 of the North Carolina Constitution prohibiting the taking of private property by eminent domain except for a public use, which does not include taking property in order to convey an interest in the property for economic development. The proposed amendment further provides that this does not apply to the taking of physically blighted property or to takings for access to property. The amendment also requires just compensation to be paid for said property and, if demanded, compensation shall be determined by a jury.

Source: Bill Digest H.B. 1268 (07/02/09).

ASSUMPTIONS AND METHODOLOGY:

State Board of Elections

The proposal to place a constitutional amendment on the May 4, 2010 primary election ballot will have a minimal fiscal impact on the State Board of Elections and would be absorbed in the normal course of duties surrounding the conduct of the primary election.

Secretary of State

The Secretary of State estimates a cost of \$400 in FY 2009-10 associated with public notice/media distribution of information about the constitutional amendment and mailing notifications to local boards of election. This cost would be an obligation of the General Fund. There are no other costs.

SOURCES OF DATA: State Board of Elections and Department of Secretary of State

TECHNICAL CONSIDERATIONS: None

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DATE: July 29, 2009

Signed Copy Located in the NCGA Principal Clerk's Offices