


1999 Session		LRB Number -3683/2
FISCAL ESTIMATE DOA-2048 N(R06/99)		Bill Number AB 855
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> UPDATED <input type="checkbox"/> CORRECTED <input type="checkbox"/> SUPPLEMENTAL		Amendment No. if Applicable
Subject: Relating to inverse condemnation proceedings		Administrative Rule Number
Fiscal Effect State: <input type="checkbox"/> No State Fiscal Effect Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.		
<input type="checkbox"/> Increase Existing Appropriation <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Appropriation <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Create New Appropriation		<input type="checkbox"/> Increase Costs - May be possible to Absorb Within Agency's Budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
Local: <input type="checkbox"/> No local government costs		
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Governmental Units Affected: <input type="checkbox"/> Towns <input type="checkbox"/> Villages <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others _____ <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S		Affected Chapter 20 Appropriations
Assumptions Used in Arriving at Fiscal Estimate <p>If a person's property is occupied by an entity that has the power of eminent domain (in this fiscal note, the Department of Corrections would be the condemnor), but has not been compensated, that person may commence an inverse condemnation action against the condemnor.</p> <p>The bill includes in the definition of "taking" for the purpose of inverse condemnation actions, not only occupancy but also the physical confiscation of property by a person possessing the power of condemnation, and any action by a condemnor that directly reduces the fair market value of a person's property by more than 50%.</p> <p>The Department does not have any plans to exercise its power of eminent domain, and so this bill should have no fiscal effect on the Department.</p> <p>It is not possible for the Department to anticipate what costs, if any, that could be incurred by local governments if this bill should become law.</p>		
Long-Range Fiscal Implications		
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