

NORTH CAROLINA GENERAL ASSEMBLY
LEGISLATIVE FISCAL NOTE

BILL NUMBER: HB 1174 Committee Substitute 2nd Edition

SHORT TITLE: CONDEMNATION AWARDS/EVIDENCE

SPONSOR(S): Committee Substitute

FISCAL IMPACT: Expenditures: Increase () Decrease ()
 Revenues: Increase () Decrease ()
 No Impact ()
 No Estimate Available (X)*

* See Assumptions below

FUND AFFECTED: General Fund () Highway Fund () Local Fund (X)
 Other Fund ()

BILL SUMMARY: Amends GS 40A-8 to require courts "_in a condemnation action to award the property owner reimbursement for costs (including attorney, appraisal, and engineering fees)if the judgment awarded is greater than the deposit put up by the condemnor" [and] Allows as "_evidence of value the most recent appraisal and valuation done prior to institution of the action for the purpose of levying ad valorem taxes upon the property_."

EFFECTIVE DATE: October 1, 1996 and applicable to pending litigation.

PRINCIPAL DEPARTMENT(S)/PROGRAM(S) AFFECTED: local taxing authorities

FISCAL IMPACT

	FY	FY	FY	FY	FY
	1996-97	1997-98	1998-99	1999-00	2000-01
EXPENDITURES					
TOTAL EXPENDITURES					
STATE FUNDS					
FEDERAL FUNDS					
LOCAL FUNDS					no reliable estimate available
OTHER FUNDS					
RECEIPTS/FEES					

ASSUMPTIONS AND METHODOLOGY:

The number of condemnation cases pending on October 1, 1996, that will meet the criteria for payments of various professional fees and other appraisal costs set out in the bill cannot be determined reliably until on or after October 1, 1996 - the effective date.

Since the number of adjudicated cases resulting in additional payments and the amounts of the court-ordered payments cannot be known, until after the effective date of the legislation set out in the bill, then the overall fiscal impact - either in terms of potential increases or decreases in local government expenditures cannot be determined.

TECHNICAL CONSIDERATIONS: none

FISCAL RESEARCH DIVISION 733-4910

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Signed Copy Located in the NCGA Principal Clerk's Offices