

Fiscal Note & Local Impact Statement

127th General Assembly of Ohio

Ohio Legislative Service Commission
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BILL: **Sub. S.J.R. 1** DATE: **May 31, 2007**

STATUS: **As Reported by Senate State & Local Govt. & Veterans Affairs** SPONSOR: **Sen. Coughlin**

LOCAL IMPACT STATEMENT REQUIRED: **No — Not required for joint resolutions**

CONTENTS: **Proposing to enact changes to the Ohio Constitution that provide limits on the power of a public authority to take private property for a public use**

State Fiscal Highlights

- No direct fiscal effect on the state, as the resolution does not apply any new limits on the state's authority concerning eminent domain.

Local Fiscal Highlights

LOCAL GOVERNMENT	FY 2007	FY 2008	FUTURE YEARS
Local Governments			
Revenues	Potential loss in revenues that would have been realized due to certain property takings	Potential loss in revenues that would have been realized due to certain property takings	Potential loss in revenues that would have been realized due to certain property takings
Expenditures	- 0 -	- 0 -	- 0 -

Note: For most local governments, the fiscal year is the calendar year. The school district fiscal year is July 1 through June 30.

- Prohibits public authorities from taking private properties for public use for the purpose of increasing revenues, resulting in possible foregone revenue from various types of projects that might otherwise have been undertaken.
- As there are many factors that would apply, LSC cannot estimate the amount of possible foregone revenue or new costs that local governments would incur.



Detailed Fiscal Analysis

The resolution, should it be adopted by the voters, would prohibit public authorities from taking private property for a public use for the purpose of increasing revenues for a public authority. Public authorities may not use the potential revenues as evidence that the property to be taken is blighted. The resolution would also require municipal corporations to have the same authority to take private property as the state.

If this resolution were to be adopted by the voters, some local governments may experience a loss of revenues in the future that may have been available were the local governments permitted to take certain private property through the use of eminent domain. It is not entirely clear at present what impact this resolution, if enacted, would have on projects currently slated for eminent domain proceedings or future projects that would be forestalled by this amendment.

LSC fiscal staff: Terry Steele, Budget Analyst

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