


Colorado Legislative Council Staff Fiscal Note
LOCAL
FISCAL IMPACT

Drafting Number: LLS 08-0731	Date: February 18, 2008
Prime Sponsor(s): Rep. Summers; White Sen. Tochtrop	Bill Status: House Transportation and Energy Fiscal Analyst: Josh Abram (303-866-3561)

TITLE: CONCERNING THE EXERCISE OF THE POWER OF EMINENT DOMAIN BY THE REGIONAL TRANSPORTATION DISTRICT.

Fiscal Impact Summary	FY 2008-2009	FY 2009-2010
State Revenue		
State Expenditures		
FTE Position Change	0.0 FTE	0.0 FTE
Effective Date: The bill includes an effective date of July 1, 2008, and applies to condemnation actions commenced on and after that date.		
Appropriation Summary for FY 2008-2009: None required.		
Local Government Impact: See Local Government section.		

Summary of Legislation

This bill restricts the power of eminent domain exercised by the Regional Transportation District (RTD). RTD shall be subject to the following limitations:

- eminent domain may only be used as necessary for public transit purposes;
- property acquired may only be used for public transit purposes, or the secondary functions necessary to support such purposes; and
- the RTD shall not transfer ownership of any property or easement it acquired via eminent domain.

The bill defines "public transit purposes" as the acquisition, construction, or maintenance of facilities to transport the public; however, such purposes shall not include the acquisition or construction of any secondary support facilities, including parking facilities, or any form of retail or residential development. The bill requires that any co-petitioner in a condemnation action with the RTD be subject to the same limitations

