

## STATEMENT OF PURPOSE

### RS25127

The purpose of this legislation is to amend Idaho Code Section 7-711 to provide for revised procedures and factors in eminent domain proceedings regarding how the assessment of damages is determined by further defining how the property value is to be determined. The condemning authority must take into consideration the highest and best use, the access available to the property and all other factors that relate to value.

The proposed legislation would set limitations on what can or should not be considered and that the value of the property determined shall not include any increase or decrease in value due to these limitations.

### FISCAL NOTE

There will be no fiscal impact to the General Fund because the fiscal impact will be at the department or agency level and at the local jurisdiction level. The fiscal impact could be significant if the condemning authority has not been taking these procedures and factors into consideration as they have condemned properties throughout the State of Idaho. It is next to impossible to determine or even estimate the fiscal impact at this time. Rather it is a question of fairness and equity as it relates to determining the fair market value of a property being condemned by a public agency.

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**DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).**