

## **BILL ANALYSIS**

Senate Research Center

S.J.R. 9  
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State Affairs  
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As Filed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Currently, the Texas Constitution permits condemnation of land for public use. Previous to the United States Supreme Court ruling in *Kelo et al v. City of New London et al*, public use was understood to be for parks, roads, and other such objectives. In light of this recent ruling allowing the taking of private property for economic development purposes, public use needs to be defined as to what it is not.

S.J.R. 9 proposes a constitutional amendment to prohibit the taking of private property by eminent domain through public use for economic development.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 17, Article I, Texas Constitution, to provide that public use does not include economic development.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 8, 2005. Sets forth the required language for the ballot.