

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATURE 1st CALLED SESSION - 2003

July 9, 2003

TO: Honorable Joe Nixon, Chair, House Committee on Civil Practices

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB47 by Nixon (Relating to civil claims involving exposure to asbestos or other mineral dusts.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Civil Practice and Remedies Code relating to civil claims involving exposure to asbestos or other mineral dusts. The bill would require the Supreme Court of Texas to adopt rules requiring trial courts to maintain an inactive docket for mineral dust or asbestos-related claims. The bill provides the Supreme Court with rule guidelines for the following: claims eligible for the inactive docket; claims limitation periods; discovery and other court orders; removal of claims from the inactive docket to the active docket; inactive docket information; and claimant bankruptcy trusts. To the extent the Supreme Court may incur additional costs adopting new rules relating to mineral dust or asbestos-related claims, the costs are not anticipated to be significant.

The bill would take effect immediately if the bill receives the vote of two-thirds the members of each house. Otherwise, the bill would take effect November 1, 2003. The bill would apply to claims filed after the bill's effective date and to claims pending on the effective date in which the trial, a new trial, or a retrial begins on or after the effective date.

Local Government Impact

No significant fiscal implication to units of local government is anticipated. The bill would require local trial courts to establish and maintain an inactive docket for mineral dust or asbestos-related claims under rules adopted by the Supreme Court. Under the rules adopted, local trial courts would also collect an appropriate filing fee that would be used to offset the costs of administering the inactive docket. To the extent local government would incur additional costs maintaining an inactive docket, such costs would be offset by additional revenue from the filing fee. To the extent local government may realize additional revenue for any portion of the filing fee not used to offset new administrative costs, the additional revenue statewide is not anticipated to be significant.

Source Agencies: 307 Secretary of State, 503 Board of Medical Examiners

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