

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 19, 2003

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

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB1205 by Lindsay (Relating to liability of the state and certain political subdivisions for certain recreational activities.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill amends Section 75.002(e), (f), and (g) of the Civil Practices and Remedies Code relating to liability of the state and certain political subdivisions for certain recreational activities and only if the activities take place on premises owned, operated, or maintained by the state or a municipality or county. The bill would limit the liability for damages arising directly from hockey, in-line hockey, skating, in-line skating, roller-skating, skateboarding, and roller-blading activities except for gross negligence or acts conducted in bad faith or with malicious intent. The bill requires these facilities to post and maintain a clearly readable sign in a clearly visible location on or near the building.

The bill takes effect September 1, 2003 and applies only to a cause of action that accrues on or after the effective date of the bill.

Local Government Impact

No significant fiscal implication to units of local government is anticipated. Counties may see savings in liability insurance premiums and costs to print, post, and maintain warning signs, but these savings and costs are not expected to be significant.

Source Agencies: 302 Office of the Attorney General

LBB Staff: JK, RR, BL, KG, GO